

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, January 9, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr. Councilmen Harry O. Fullbrook, Joseph J. Long and Richard M. Laws. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of December 19, 1960 was dispensed with on a motion by Councilman Long and seconded by Councilman Laws.
3. Mayor McLernon announced that Mr. William M. Perkins had accepted the position of Executive Secretary effective about February 1, 1961 and introduced Mr. Perkins, who was present for the meeting.
4. Col. McLendon, Executive Secretary, introduced Mr. Milton B. Millon, Director of the Municipal Technical Advisory Service of the University of Maryland, who had been invited to discuss with the Council the benefits and procedure for setting up a pay plan and merit system for City employees. Mr. Millon reviewed a plan which had been prepared by MTAS and recently adopted by the City of Cumberland. He explained the method by starting with the setting up of a job description together with qualifications for each position, in order to set up a job classification plan and grouping employees together who have the same work requirements or responsibilities to receive equal pay for equal work. The grouping consisted of seven steps, whereby employees could advance for years of service and a new employee coming to the City's employ would start at the bottom of the scale. He explained a separate plan for hourly employees with a five step grouping. He stated that the plan is basically the same plan as used by the Federal Government and the State of Maryland and now being used by many cities and counties. Mayor McLernon inquired as to what he would do to effect such a plan for Salisbury. Mr. Millon explained that usually the Executive Secretary works closely with MTAS in preparing such a plan and that the plan is started by having each employee submit a survey or resume of their duties, which is gone over by the department head. Mr. Millon advised that there would be no cost to the City for preparing such a plan and that if it were started now it could be put into effect about July 1, 1961. No formal action was taken.
5. Mayor McLernon reported that a meeting was held on January 6, 1961 by the Committee appointed to study the matter of 10¢ Parking Tickets. The Committee consisted of two members of the Retailer's Association, two members of other interests in the down town area, the Mayor, the Executive Secretary and the Chief of Police; and that it was concluded at this meeting that the 10¢ Courtesy Parking Tickets be discontinued and the old system of \$1.00 parking tickets be continued as of January 16, 1961. Mayor McLernon requested Council concurrence with the decision of the Committee. The Council concurred with the decision of the Committee to discontinue the 10¢ parking tickets and continue with the \$1.00 parking tickets effective January 16, 1961 on a motion by Councilman Laws and seconded by Councilman Long.
6. Mr. Victor H. Laws, City Solicitor, reported on the status of the annexation of the proposed Riverside Area. He advised that to date 143 signers appeared on the petition requesting referendum filed with the Mayor and that a total of 91 of the names would have to be verified in order to have 20% as required by law. He outlined the procedure as set up by law relating to the obligation of the Mayor - to check the validity of signatures on the petition to be at least 20% of the people living and voting in the area; to issue a proclamation suspending the effectiveness of the annexation resolution until after the referendum; and to set the time and

Minutes of Meeting of January 9, 1961

place of referendum vote and to give notice for two weeks in local newspaper. He advised that if the first publication were January 18 and the second January 25th the earliest possible date of vote would be February 9, 1961, and that Mayor McLernon had set the date for the referendum to be Saturday, February 11, 1961 from 7:00 A.M. to 7:00 P.M.; and that a voting machine would be rented for the purpose. He advised that after the proclamation has been issued an ordinance would be prepared to set up terms and conduct of the election. He asked the Council for suggestions as to a location within the area to hold the election. The Council concurred in leaving the decision of the location of the voting place within the area to be made by Mayor McLernon.

7. The City Solicitor presented the matter of defect in title to property to be purchased from J. Roland Dashiell for playground purposes. He explained the defect in the title and recommended that the City accept the title and assume the business risk. (See Victor H. Laws' letter dated January 6, 1961 attached to Minutes). After discussion the Council concurred in accepting recommendation of the City Solicitor to accept the title to the Dashiell property as it is and assume the slight business risk on a motion by Councilman Long and seconded by Councilman Laws.

8. Resolution No. 4 A RESOLUTION of the Council of The City of Salisbury pursuant to Article 23A, Section 11-18, both inclusive, on the Annotated Code of Public General Laws of Maryland (1957 Edition), for the purpose of amending Sections 114 and 122 (being, respectively, Sections 396 and 404 of the Code of Public Local Laws of Wicomico County, 1959 Edition), so as to remove therefrom the obligation, duty and authority of the Director of Public Works of The City of Salisbury to enforce the City's building and plumbing codes and to approve plans of subdivision and re-subdivision of land within the City was duly passed on second and final reading on a motion by Councilman Long and seconded by Councilman Laws.

9. Ordinance No. 812 AN ORDINANCE of The City of Salisbury establishing a Bureau of Inspections and providing for the functions, duties and powers thereof, designating the personnel thereof, establishing the procedure thereof and repealing previous ordinances, resolutions, regulations, etc. to the extent inconsistent therewith was duly passed on second and final reading on a motion by Councilman Long and seconded by Councilman Fullbrook.

10. The Executive Secretary reported that bids had been received from seven bidders on the petroleum products requirements for the Year 1961 and recommended that awards be made to the low bidders as shown on the attached abstract of bidding. The Council concurred in awarding contracts to the low bidders as recommended on a motion by Councilman Long and seconded by Councilman Laws.

11. The Executive Secretary presented request from the Dept. Public Works for Council approval of salaries for:

John Griffin, promoted from laborer - Garbage Collection Crew, to Sweeper Operator, Salary \$60.00 per week, effective January 9, 1961, Account No. 13,301 Gen.

Mrs. B. E. Bell, Secretary - Dept. Public Works, salary \$55.00 per week, Account No. 12,101(e) Gen., effective January 16, 1961.

Council approved salaries as requested on a motion by Councilman Laws and seconded by Councilman Long.

12. The Executive Secretary reported for Council information that the Hodgson Property on Lake Street for playground purposes had been settled for \$4,000.00 before the date set for condemnation proceedings.

13. The Executive Secretary read a letter from the Director of Public Works Dept. addressed to Benjamin Hearn on the occasion of his retirement after twenty-nine years of service with the City. The Council requested that a letter be sent to Mr. Hearn from the Mayor and Council in recognition of his faithful service to the City.

14. The Executive Secretary presented the Police Dept. Report on Parking Tickets for the Month of December 1960.

15. The Executive Secretary read a memorandum from the Director Dept. Public Works regarding renaming Kendall Street and the new section of South Blvd. After discussion the Council concurred in the name of South Boulevard for the existing Kendall Street between South Division Street and the Pennsylvania Railroad and the newly built relocation between the Pennsylvania Railroad and Route 13 at South Boulevard.

16. The Executive Secretary presented the following reports:

Monthly report of Fire Dept. for Month of December 1960.
Report of Ambulance Service for Month of December 1960.

17. The Executive Secretary read a letter addressed to the Executive Secretary from the County Commissioners requesting Council concurrence in the reappointment of the Salisbury-Wicomico Airport Commission for the period January 1 - December 31, 1961 as follows:

Walter B. Mullikin, Glen Benedict, J. William Gordy, Marshall Moore, and
Robert B. White.

The Council concurred in the reappointment of the members of the Airport Commission as requested on a motion by Councilman Long and seconded by Councilman Laws.

18. Councilman Fullbrook requested that a report of what has been done by the Airport Commission with respect to various suggestions and recommendations during the past year be submitted. Mayor McLernon advised that he would ask for a joint meeting with the County Commissioners, the Airport Commission and the City regarding such a report.

19. The Executive Secretary presented the matter of Urban Renewal Law proposed for cities in the State of Maryland and read a letter from Mr. Gilman, Planning Director, recommending that the City seek to be granted the authority as provided by the law at this session of the Legislature. After discussion the Council concurred in advising the Maryland Municipal League of the City's desire to be included in the Urban Renewal Law, which would make it possible for Salisbury to participate.

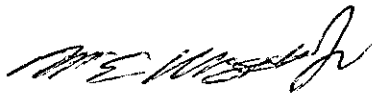
20. The Executive Secretary reported on the program for Parking District No. 1 for 1961.

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21. The Executive Secretary reported that public hearing would be held Wednesday, January 11, 1961 at 4:00 P.M. by the Zoning Board of Appeals concerning building on lot at corner of Hazel Avenue and Salisbury Blvd., and that building permit has been denied by the Building Inspector on two counts - there being not sufficient setback allowed for on Hazel Avenue and the lack of required space for parking. He stated that special counsel has been retained to represent the City in the matter because the City Solicitor has an interest in the property.

22. The regular meeting adjourned at 10:00 P.M. on a motion by Councilman Long and seconded by Councilman Laws.

January 23, 1961
Date


President of The Council

Josephine M. Traublefield
Clerk

City of Salisbury

OFFICE OF THE MAYOR
SALISBURY, MARYLAND

December 30, 1960

EXECUTIVE ORDER

Number 39

TRANSFER OF FUNCTIONS

Bureau of Inspections (Building and Plumbing) Sub-division Control

1. Effective January 1, 1961, the head of the Bureau of Inspections, now being established by Ordinance No. 812, will report directly to the Mayor. The present employees of the Building and Plumbing Office, including the Building Inspector, Plumbing Inspector and the one clerk are transferred from the Department of Public Works to the Bureau of Inspections, together with the office equipment, motor vehicles and records pertaining to the same. For the time being, the clerk of that office will continue to keep certain purchasing records belonging to the Department of Public Works and will assist other departments on call with operation of the mimeographing machine. The Building Inspector is designated as the head of the Bureau of Inspections.

2. Effective January 1, 1961, sub-division control is allocated to the Planning Commission, which will have responsibility in addition to its other duties for preparation of sub-division regulations, zoning regulations and the housing code. The Director of the Planning Commission will submit all sub-division plats to the Council for examination after staff coordination, but before submitting the same to the Planning Commission for final formal action. The Department of Public Works is directed to furnish the Planning Commission with such engineering services as may be needed in connection with sub-division control.

3. In connection with the above changes, attention is invited to Resolution No. 4, of the Council of the City of Salisbury, designed to amend the City Charter with respect to responsibility for the enforcement of the Building Code and to effect certain changes in responsibility for approval of sub-division plats, and also to Ordinance No. 812 establishing Bureau of Inspections.

BOYD E. McLERNON

BOYD E. McLERNON
Mayor

Copies:

Bureau of Inspections - 1
Planning Commission - 2

Dept. of Public Works - 1 Council Minutes - 1

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, January 23, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the Minutes of the meeting of January 9, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Laws.
3. The Executive Secretary stated that he had requested Mr. James Gilman, Planning Director, to present discussion to acquaint the Council along the lines of planning and preparing a program on the implementation of the Urban Renewal Law. Mr. Gilman presented charts and discussed the three basic steps required for a Urban Renewal Program; (1. Preparation of Application for Workable Program - certification by Council, 2. Survey and Planning Program - selection of project, 3. Redevelopment Program - acquisition of land, removal of people, demolition and clearance, etc.). Mr. Gilman stated that the Federal Government makes an outright grant to cover the cost of survey and planning and that the City is not obligated by submitting application for the Urban Renewal Grant. He stated that he would be willing to work up a workable program with the assistance of the Executive Secretary, the City Solicitor, and the City Engineer and submit for Council approval. After discussion the Council requested that the program be prepared as outlined by Mr. Gilman and submitted for Council review and application be submitted for Urban Renewal Grant, on a motion by Councilman Martin and seconded by Councilman Laws.
4. The regular meeting of the Council was recessed at 8:30 P.M. for the purpose of an Executive Session of the Council and was reconvened at 9:25 P.M.
5. The Executive Secretary reported that he had spoken with Mr. Perkins, the new Executive Secretary, and that he planned to report in Salisbury on Monday, January 30, 1961.
6. The Executive Secretary reported for Council information that he had attended the meeting of the Legislative Committee of the Maryland Municipal League at Annapolis on January 16, 1961 and that Salisbury was among 16 cities who had indicated desire to be included in the Urban Renewal Law. He stated that also discussed at the meeting was City - County Fiscal Relations and that a study is being made by the Commission appointed by the Governor.
7. The Executive Secretary read a letter from Mr. Milton B. Millon, Director Municipal Technical Advisory Service, advising that there was no cost to the City for the expense of his visit to Salisbury to discuss job classification and pay plan for City employees and that he would be glad to start work on such a plan. The Executive Secretary advised that no formal action had been taken on the matter and suggested that after the new Executive Secretary arrives that MTAS be asked to prepare the job classification and pay plan. After discussion the Council requested that MTAS be asked to prepare the merit system and pay plan for the City employees on a motion by Councilman Long and seconded by Councilman Laws.
8. The Executive Secretary presented request from the Dept. Public Works for Council approval of salaries for following personnel:

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George Washington Tubbs, laborer at Incinerator, salary \$51.00 per week, Account No. 13.401(a) Gen., effective January 16, 1961.

Thomas Phillips, Operator, Sewage Treatment Plant, salary \$59.00 per week, Account No. 13.201(a) Sewer, effective January 23, 1961.

The Council approved the salaries as requested on a motion by Councilman Long and seconded by Councilman Laws.

9. The Executive Secretary reported that a copy of a ruling by the Attorney General had been received regarding cities' authority to bill semi-annually for real estate taxes and that at the recent meeting of the Legislative Committee in Annapolis the Executive Council had indicated that they were willing to accept the opinion of the Attorney General, which authorized the two billing periods per year for cities, and would not press for further legislation on the matter.

10. The Executive Secretary read a letter addressed to the Mayor and Council from the Junior Chamber of Commerce expressing appreciation for the City's participation in the Christmas Lighting Program.

11. The Executive Secretary presented the Treasurer's report on Airport revenues and expenditures for the month of December 1960.

12. The City Engineer reported that there is a short street beside the Safeway Store which has not been named and requested the Council to be thinking about a name for the street.

13. The Executive Secretary reported that the H. D. Metal Company had settled their account for salvage materials purchased at the Lake Street Yard in the amount of \$760.50.

14. The Executive Secretary presented the Fire Dept. Annual Report for the Year 1960.

15. The Executive Secretary presented a complete plan for recreational program to be followed for development of Doverdale, Lake Street and Harmon Field Playgrounds.

16. The City Solicitor reported that application had been received for refund of taxes paid for 1961 on a lot in Lincoln Village by the Trustees of the Church of God, the property being used as a parsonage, and that the taxes were required to be paid at the time of transfer of the deed. He advised that this is a specific exemption for property of this kind under State Law. After discussion the Council directed the Treasurer to refund the payment of the 1961 taxes paid on this property, on a motion by Councilman Long and seconded by Councilman Laws.

17. The City Solicitor presented a policy directive to all personnel of the Salisbury Planning Commission and the Wicomico County Planning and Zoning Commission to be adopted by the City and the County, in order to set up a uniform procedure for personnel dealing with the City and the County. He advised that the plan had been gone over by the Planning Director and by the County and had been approved by them. The policy directive was adopted by the

Minutes of Meeting of January 23, 1961

Council on a motion by Councilman Long and seconded by Councilman Laws. (See copy attached to Minutes).

19. The City Solicitor reviewed the status of the referendum to be held on the Riverside Area Petition for Annexation to be held Saturday, February 11, 1961 from 7:00 A.M. to 7:00 P.M.

19. Ordinance No. 813 AN ORDINANCE of the Council of The City of Salisbury making provision for conducting a referendum petitioned for by certain of the residents of Riverside Area situated contiguous to and binding upon the southerly corporate limits of The City of Salisbury, said referendum to be "For" or "Against" Resolution No. 1 passed by the Council of The City of Salisbury on December 12, 1960, proposing the annexation to The City of Salisbury of "Riverside Area"; providing for the tabulation of the results of said referendum and for the public announcement of the said results; and providing for the payment of the expenses of the said referendum, was introduced and adopted for first reading on a motion by Councilman Long and seconded by Councilman Laws.

In this connection the City Solicitor reported that he had received an inquiry as to whether or not there would be provision for absentee voting in the election. The Council concurred in the decision that there would be no provision in Ordinance No. 813 for absentee voting in the election.

20. The City Solicitor presented the matter of applications made for exemption from taxes in the Special Parking District No. 1. He advised that there have been about 20 applications for exemptions filed with the Building Inspector for exemption from the 1960 assessments and that the applications had been gone over by the Treasurer, the Executive Secretary, the Building Inspector and the City Solicitor, and under the third classification of exemptions, the following recommendations were made:

Exemption Recommended

Greenie's Parking Lot - E. Market St.
Granger and Faw, 115 E. Market St.
Shockley's Paint & Wallpaper Store,
131 S. Division St.
Denmead Kolb, 21 E. Church St.
Lay Phillips, Calvert & Bond St.
(exempt only vacant lot next to bldg.)
George Chandler, 112 W. Market St.
George Chandler, 126 W. Market St.
(vacant lot)

Exemption Not Recommended

Lay Phillips, Bond and Calvert St. -
Bldg. & Lot
T. L. Ruark Co., 222 Mill St.
Wm. Pope and Son, Circle Ave. & Market St.
Robert Cannon and Edgar Porter, Circle Ave.
Carroll Lee Ennis, 128 E. Market St.
Louis & Norman Cohen, 106-108 E. Market St.
Louis & Norman Cohen, 112 W. Market St.
Avery W. Hall & Geo. Chandler
3 Properties on S. Division St.

The City Solicitor advised that after discussion on the matter at the meeting held by the Treasurer, Executive Secretary, City Solicitor and Building Inspector, it had been concluded that they would recommend for 1961 and future years that all exemptions be eliminated from the Parking District No. 1, that the tax be applied on all properties without exemptions and let the savings be reflected in the tax rate for the Parking District. After discussion the Council concurred in the plan for eliminating all exemptions from

Minutes of Meeting of January 24, 1961

taxes in the Parking District No. 1, as outlined by the City Solicitor, on a motion by Councilman Martin and seconded by Councilman Long.

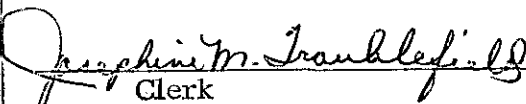
21. The Treasurer read a letter received from Mr. Roger Steffens and Mr. Dale Adkins requesting withdrawal of water bill in the amount of \$25.00 on property formerly occupied by Bailey Cleaners. He advised that no request to have the water turned off at this location had been made, however, no water had been used, and that during the period four bills had been sent to the owners. After discussion it was the decision of the Council that the bill be paid, on a motion by Councilman Martin and seconded by Councilman Long. Councilman Laws voted in the negative.

22. The President of the Council announced that the Council would meet in special session at 8:00 P.M., Monday, January 30, 1961.

23. The regular meeting adjourned at 11:15 P.M. on a motion by Councilman Long and seconded by Councilman Laws.

January 30, 1961
Date


President of The Council


Clerk

MINUTES OF EXECUTIVE SESSION OF
MAYOR AND CITY COUNCIL OF
THE CITY OF SALISBURY
JANUARY 30, 1961

At the request of Messrs. Lewis Hess, H. Harrell Granger and E. Dale Adkins, Jr., representing the Board of Directors of the Wicomico County Free Library, the Mayor and Council recessed their special meeting at 9:00 O'Clock P.M., and reconvened the same five minutes later in the Wicomico County Free Library at the corner of Route 50 and Bush and High Streets.

The Mayor and Council made an inspection tour of the library building and facilities. Mr. Adkins then addressed the Council, stressing the inadequacy of the present library building and facilities, pointing out numerous instances of overcrowding. He said the community had simply outgrown the present facilities, and the library was unable to render adequate community service. He said the library had had a professional consultant study possible new locations, and the consultant's expert recommendation was that the old Armory was the best possibility. Mr. Adkins asked the Mayor and Council to consider either donating the old Armory outright to the library or leasing the same to the library at a nominal rent for its new location, and further asked the Mayor and Council to consider acquiring for \$75,000.00 cash the library's present buildings and real estate. He said that the library would then request the County Commissioners to contribute approximately \$50,000.00 toward the cost of remodeling the old Armory, and said that the library Board would then undertake to raise through public subscription the remaining \$100,000.00 requirement. He stressed the fact that the library relocation could not be done without the City's cooperation and generosity.

Mayor McLernon said he favored the proposal in general, both because of the obvious community benefits from an adequate library in the new location, and because he felt the present library could be used as a Police Department Headquarters for the City. He said the Police Department is badly overcrowded in the City Hall basement and desperately needs new quarters.

Mr. Victor Laws pointed out that the present library property included the house and lot between the library building and Trinity Church, which could be used for off-street parking if acquired by the City, and asked Colonel McLendon to comment on this. In response, Colonel McLendon said that in his opinion the property would give twenty parking spaces, and he felt that a valuation of \$30,000.00 therefor was reasonable, and felt that these funds were already available in the 1961 Budget for Park District No. 1; and that he felt that the balance of \$45,000.00 for the present library building and land was justified as a 1962 budget item for Police Department use, and that he favored the library proposal.

There was general discussion indicating approval of the proposal, except that Mr. Gilman, Planning Director, said that he did not like the old Armory as a location for the library except as a temporary expedient, because he thought the permanent location should be in the new government plaza shown on his master plan. It developed that he was thinking in terms of fifteen to twenty years as "temporary." He concluded by saying that he thought the library should restrict its renovations in the old Armory to "temporary" type of changes. Councilman Martin, Councilman Long and others disagreed. They said the Armory should be remodeled in a first-class manner or not at all.

Minutes of Meeting of Executive Session
January 30, 1961

Following further discussion, and on motion by Councilman ^{Martin} Long, seconded by Councilman Martin, and unanimously approved, it was

Laws

RESOLVED that The City of Salisbury hereby approves and accepts the proposal of Wicomico County Free Library to sell its present land and buildings to The City of Salisbury for \$75,000.00 cash and to acquire from the City of Salisbury, without consideration, the old Armory as and for a new location for the library; provided:

1. The present library building is to be used as a new City Police Headquarters, but the \$45,000.00 cost thereof is not to be paid until 1962.
2. That the remainder of the library property is to be used for Parking District No. 1 for off-street metered parking, and the \$30,000.00 cost thereof is to be paid from the funds budgeted for Parking District No. 1.
3. That the City be assured of continued public use of the old Armory for library purposes, and that the City be assured that the library, through a combination of public donations and a grant from the County Commissioners of Wicomico County, will obtain sufficient funds, in addition to the City's \$75,000.00, to provide a first-class public library in the old Armory building.

There being no further business, the meeting adjourned at 10:00 P.M.

February 13, 1961
Date



President of The Council

Joseph M. Traubfeld
Clerk

The Council of The City of Salisbury met in special session at the City Hall at 8:00 P.M., Monday, January 30, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of January 23, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.
3. Ordinance No. 813 AN ORDINANCE OF THE Council of The City of Salisbury making provision for conducting a referendum petitioned for by certain of the residents of Riverside Area situated contiguous to and binding upon the southerly corporate limits of The City of Salisbury, said referendum to be "For" or "Against" Resolution No. 1 passed by the Council of The City of Salisbury on December 12, 1960, proposing the annexation to The City of Salisbury of "Riverside Area"; providing for the tabulation of the results of said referendum and for the public announcement of the said results; and providing for the payment of the expenses of the said referendum, was duly passed on second and final reading upon a motion by Councilman Long and seconded by Councilman Martin.
4. Resolution No. 5 A RESOLUTION of the Council of The City of Salisbury pursuant to Article 23A, Sections 11-18, both inclusive, of the Annotated Code of Public General Laws of Maryland (1957 Edition) for the purpose of repealing and re-enacting Section 91 of the Charter of The City of Salisbury (being Section 372 of Article 23 of the Code of Public Local Laws of Wicomico County, 1959 Edition), so as to provide for semi-annual dates of finality for property taxes levied by The City of Salisbury and for the billing and collection thereof, was introduced and passed for first reading on a motion by Councilman Long and seconded by Councilman Martin.
5. Mr. Victor Laws, City Solicitor, reported for Council information that Mrs. Melvin Hadden had been given verbal permission by the Building Inspector, after discussion with the Planning Commission, to operate a tearoom at her residence located at the corner of Camden and Ohio Avenues, and that he had investigated the matter and he and the Building Inspector had visited Mrs. Hadden and informed her that the City was unable to issue a permit for a tearoom at this location, under the provisions of the City's Zoning Ordinance. He stated that he had advised Mrs. Hadden that she could appear before the City Council and ask for relief, or the Board of Zoning Appeals when the permit is denied. He stated that Mrs. Hadden advised that she had spent \$2,000.00, and apparently had gone farther in making the business venture a full time operation than she had first indicated in her discussion with the Building Inspector. Mr. Laws advised that he had done some research in the matter and that he did not believe that the City is obligated; also that administrative steps had been taken to insure that there would not be a recurrence of a situation of this nature.
6. The Treasurer requested that application for the City's share of Racing Revenue for the Year 1960 be executed by the President of the Council in the amount of \$15,495.24.
7. Mayor McLernon reported that Mr. Werner T. Gardner former member of the Council and Council President had passed away on this date. A memorial Resolution was passed by the Council on a motion by Councilman Laws and seconded by Councilman Long. (See copy of Resolution attached to Minutes).
8. The Executive Secretary read a letter sent to Mr. Milton B. Millon, M.T.A.S., requesting

Minutes of Meeting of January 30, 1961

that the merit system and pay plan for the employees of The City of Salisbury be scheduled at earliest convenience.

9. The Executive Secretary reported for Council information that former Mayor Rollie W. Hastings was interested in applying for Social Security now that he has reached the age of retirement and that the period of January 1, 1957 to May 5, 1958, while he was on the City payroll, had never been reported. He stated that a field examiner of the Employee's State Retirement System had discovered that social security payments had not been made for the elected officials and that the Council had voted to pay up social security payments for elected officials up to January 1, 1958, but that collections have not been made for Mr. Hastings, and that he is in need of these credits to qualify for Social Security benefits. He advised that Mr. Paul Fales of the Maryland State Retirement System had been contacted both by the Treasurer and the City Solicitor and also by himself requesting a decision as to what was necessary to be done in the case of former Mayor Hastings, but to date instructions as to what is needed to be done have not been received. The Executive Secretary recommended that as soon as instructions are received from Mr. Fales that they be complied with, in order to give former Mayor Hastings the Social Security credits from the City.

10. The Executive Secretary presented the Police Dept. Consolidated Report for the Month of December 1960.

11. The Executive Secretary read a letter from the Planning Director regarding a quarterly progress report on Planning Commission Projects submitted for the months October, November and December 1960.

12. The Executive Secretary read a letter from the Director of the Planning Commission accepting responsibility of the function of Subdivision Control.

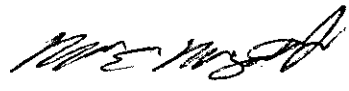
13. The Executive Secretary presented memos sent to the Dept. of Public Works regarding plans for parking lot construction, removing buildings, grading, etc. He also presented a memo regarding plans, which he had sent to Public Works Dept., for improvement of recreational facilities and outlining what is to be done this year at the various playgrounds.

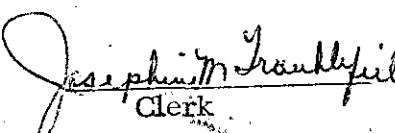
14. The Executive Secretary reported that arrangements had been made with the L. W. Gunby Company for salvage rights release on the Gunby property for \$800.00 and the metal awning and front door of the Abbott Brothers building.

15. Mayor McLernon announced that immediately following adjournment of the special meeting the Council had been requested to meet in executive session with officials of the Library Board to inspect the library building.

16. The special meeting adjourned at 9:00 P.M. on a motion by Councilman Long and seconded by Councilman Laws.

February 13, 1961
Date


President of The Council


Clerk

**MEMORIAL RESOLUTION
ADOPTED BY THE MAYOR AND CITY COUNCIL
JANUARY 30, 1961.**

WHEREAS,

It has come to the attention to the City Council the passing of a former President of the City Council of The City of Salisbury, the Honorable Werner T. Gardner, and

WHEREAS,

He served with great distinction as a Councilman from 1934 to 1938 and as President of the City Council from 1942 to 1946; and

WHEREAS,

It is appropriate to pay respect to the bereaved widow and his family,

BE IT RESOLVED,

that the Mayor and the City Council of Salisbury, Maryland note with sincere regret the passing of the Honorable Werner T. Gardner, former member of the City Council, and

BE IT FURTHER RESOLVED,

that words of sympathy be extended to the widow and other members of the family of the late Werner T. Gardner; and that a copy of this Resolution be sent to the widow of the aforesaid, Mrs. Werner T. Gardner, 111 Elizabeth Street, Salisbury, Maryland.

Boyd E. McLernon
Mayor

Wm. E. Wyatt, Jr.
President of The Council

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, February 13, 1961. The following were present: President of the Council William E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.

2.

Mrs. Hurley, teacher at Juniot High School, was present with 13 eighth grade students and one parent to observe the Council meeting. Mayor McLernon welcomed the group and introduced members of the City government.

3. The reading of the minutes of the meeting of January 30, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.

4. Mr. George Chandler appeared before the Council and read a letter addressed to the Mayor and Council dated February 3, 1961, from Jones and Lehman, regarding relocation of Waverly Street in rear of Sears Roebuck and Colonial Stores and offering to pay \$7,000.00 towards relocation of this street and give the City easement for existing water lines if rezoning is granted in its entirety of the Williams' tract. Mr. Chandler asked that Council consideration be given to this request. The City Engineer presented aerial photograph of the area and explained the area which was requested to be rezoned, and stated that in the City's planning for relocation of Waverly Street all property on the Waverly side should be zoned residential, but could be used for parking. After discussion Mayor McLernon requested that the matter be referred to the City Engineer for study and recommendation at the next meeting.

Later in the meeting there was further discussion on Waverly Street. Mr. Gilman, Planning Director, reported that the Board of Zoning Appeals had delayed action on the request for a variance by Lehman and Jones on the Salisbury Blvd. until the City has taken action on the relocation of Waverly Street.

The City Engineer presented two plans, one which he considered more desirable and one that would be at less cost to the City. He advised that the State Roads Commission is making a study of traffic at Maryland Avenue and Route 13 on which a report is expected at an early date, and that the plan to widen Maryland Avenue was to be considered in the relocation of Waverly Street. After much discussion Mayor McLernon requested the City Solicitor to reply to the letter read by Mr. George Chandler, advising that the City would be willing to do the plan as outlined by the City Engineer, involving no right-of-way costs, if they are agreeable to paying the \$7,000.00, as offered, not contingent upon any rezoning.

5. Public hearing on applications for exemptions from 1960 assessment for Parking District No. 1 was held with the following applicants appearing:

Mr. Avery W. Hall, Mr. Denmead Kolb, Mr. Lay Phillips, Mr. Watson and Mr. Chatham for T. L. Ruark and Co., Mr. Milton Pope, Mr. Louis Cohen, Mr. Milton Nason and Mr. Roger Steffens.

Mr. Victor Laws, City Solicitor, reviewed with each of the above the requirements under provisions of the Zoning Ordinance and the actual parking spaces provided on the properties in question, and made the following recommendations:

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Exemption Recommended

Greenie's Parking Lot - E. Market St.
Granger and Faw, 115 E. Market St.
Shockley's Paint and Wallpaper Store
131 S. Division St.
Denmead Kolb, 21 E. Church St.
Lay Phillips, Calvert and Bond Sts.
(exempt only vacant lot next to bldg.)
George Chandler, 112 W. Market Street
George Chandler, 126 W. Market St.
(Vacant lot)

Exemption Not Recommended

Lay Phillips, Bond and Calvert St. (Building and Lo
* T. L. Ruark Co., 222 Mill St.
William Pope and Son, Circle Ave. & Market St.
Robert Cannon and Edgar Porter, Circle Ave.
Carroll Lee Ennis, 128 E. Market St.
* Louis and Norman Cohen, 106-108 E. Market St.
* Louis and Norman Cohen, 112 W. Market St.
Avery W. Hall and George Chandler
(3 properties on S. Division St.)
Roger Steffens

In the case of T. L. Ruark Co., 222 Mill St., the City Solicitor explained that there is no classification in the Zoning Ordinance for wholesale business and that the conclusion that the exemption is not recommended was unfortunate, as the formula in the Ordinance requires 240 parking spaces and that it is apparent that adequate parking spaces are provided on the property to conduct their business, under the provisions of the Zoning Ordinance the Council does not have the power to excuse the tax, however, the Ordinance can be amended and it was his feeling that the classification should be expanded to include wholesale business and to try to set up something more equitable for this type of business for future years.

In the case of Louis and Norman Cohen properties it was concluded that the Building Inspector and the City Solicitor restudy the requirements and the properties before the Council reaches final decision on their request for exemption.

In the case of the Roger Steffens request, the City Solicitor recommended that the request for exemption be denied due to application not being made prior to appearance before Council.

The Council concurred in accepting recommendations of the City Solicitor on the applications for exemption from 1960 assessments for Parking District No. 1 on a motion by Councilman Long and seconded by Councilman Martin.

6. Mr. Alfred Black appeared before the Council and requested that a plumbing permit be issued for his apartment house at 309 Park Avenue. He stated that in July 1960 a plumbing permit had been obtained by a sub-contractor for plumbing work at the above address and that the roughing-in between the walls had been completed and the plumber paid in full; and that now he wished to employ another plumber to install fixtures and that he had been denied a permit by the Plumbing Inspector, due to the fact that the plumber who obtained the original permit would not release the permit. The Building Inspector explained that the Plumbing Inspector was following a City policy of not issuing a new permit until the original permit is released. The City Solicitor advised that there is no such requirement in the Plumbing Code and he read a letter addressed to Mayor McLernon, dated February 8, 1961, setting forth conditions under which permit is to be issued and recommending that the policy of submitting original permit before the issuance of replacement permit be discontinued. Mayor McLernon recommended that a new policy be established in accordance with the City Solicitor's recommendation. After discussion the Council concurred in accepting the recommendations

of the City Solicitor and authorized the issuance of a plumbing permit to Mr. Black, on a motion by Councilman Martin and seconded by Councilman Long.

7. Resolution No. 5 A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY pursuant to Article 23A, Sections 11-18, both inclusive, of the Annotated Code of Public General Laws of Maryland (1957 Edition) for the purpose of repealing and re-enacting Section 91 of the Charter of The City of Salisbury (being Section 372 of Article 23 of the Code of Public Local Laws of Wicomico County, 1959 Edition, so as to provide for semi-annual dates of finality for property taxes levied by The City of Salisbury and for the billing and collection thereof, was passed on second and final reading on a motion by Councilman Long and seconded by Councilman Laws.

8. The City Solicitor reported that the deal has been closed for acquisition of property for Vaden Street Playground and instructions to proceed with development could be given to the City Engineer.

9. The City Solicitor reported that the election on the Annexation of Riverside Area was held on Saturday, February 11, 1961 and that the vote was 242 "Against" and 85 "For" - a three to one margin, and that under the law it is now final. He stated that perhaps some thought should be given by the Mayor and Council as to future policy, as the election possibly illustrated the difficulty in annexing areas.

10. The City Solicitor reported in the matter of Mrs. Melvin Hadden, 607 Camden Avenue. He stated that Mr. Charles Hearne was Counsel for Mrs. Hadden and that an appeal had been filed with the Board of Zoning Appeals and a public hearing had been scheduled on the appeal for Friday, February 17, 1961 at 4:00 P.M. He stated that he and Mr. Gilman, Planning Director, would be present at the meeting and that he proposed to show that the use does not comply with the Zoning Ordinance. He read a letter from Mr. Hearne setting forth grounds for issuance of permit, and the fact that informal approval had been given whereby large sums of money have been spent, and that it was a hardship case and variance should be granted. The City Solicitor advised that he would take the position that the operation of a tearoom at this location does not comply with requirements and that the City does not wish to grant a variance.

11. The City Solicitor presented a draft agreement between the City and the Library Board and reviewed minor changes requested by the Library Board, and requested authorization to revise the agreement in accordance with the request. After discussion the Council concurred in authorizing the City Solicitor to revise the agreement as outlined on a motion by Councilman Long and seconded by Councilman Martin.

12. The City Solicitor reported that the Parsons Home has an overflow of off-street parking and that he is hopeful of working out something whereby the property can be leased by the City for parking and that he will pursue the matter and report at a later meeting.

13. The Planning Director presented request for subdivision of two lots in Pinehurst Manor by Roger Steffens and Richard Cooper. He stated that a building permit had been denied on the grounds that there is no sewer and that it would be necessary for them to build their own private sewage pump. The City Engineer advised that before permit is granted that the owners should be required to submit suitable evidence that they have a dependable system

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and that approval of the system be contingent upon the understanding that the City cannot pump the sewage out; and that they are 100% responsible for the pumping of the sewage from this property. After discussion the Council requested that Mr. Steffens and Mr. Cooper be advised to submit plans and specifications for adequate dependable system to be approved by the City before building permit is issued.

15. Mayor McLernon announced that the City Officials were invited to appear before the State Roads Commission along with the County Commissioners, by Mr. Funk, Director of the State Roads Commission, on Wednesday, February 15, 1961 at 11:00 A.M., regarding the relocation of a bypass East of Salisbury.

16. The Treasurer requested permission to borrow \$50,000 from the Water Department Fund and \$50,000 from the 1960 Bond Issue for General Fund. He also requested to transfer funds \$20,086.57 in the 1960 Bond Issue to the Riverside Drive Project, which is over-expended by that amount; and to close out the 1959 Bond Issue balance of \$411.00. He advised that \$28,737.81 has been paid out of the 1960 Bond Issue for the Riverside Drive Project and this amount plus the balance of \$411.00 would amount to \$29,149.41 to be transferred to the 1960 Bond Issue and close out the 1959 Issue. He also stated that another payment is due from the State on the Riverside Drive Project up to \$6,299.28, and that when this is received it will be deposited in the 1960 issue with credit going to the proper account. He advised that the Auditor, the City Solicitor and Executive Secretary have approved this transfer. After discussion the Council concurred in authorizing the Treasurer to proceed with the transfer of funds as outlined in his memorandum of February 13, 1961, and to borrow the sums as requested for General Fund purposes, on a motion by Councilman Fullbrook and seconded by Councilman Laws.

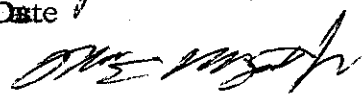
17. The City Solicitor presented the matter of extending the exemption from tax on raw materials on hand and manufactured products in the hands of manufacturers in the City, which was done by Resolution of the Council in March 1951 and expired in January 1961. After discussion the Council adopted the following Resolution on a motion by Councilman Longg and seconded by Councilman Laws:

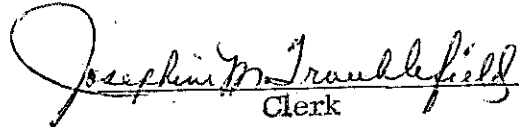
BE IT RESOLVED by the Mayor and Council of Salisbury, pursuant to the right and authority conferred by sub-section 24 of Section 9 of Article 81 of the Annotated Code of Maryland (1957 Edition) that raw materials on hand and manufactured products in the hands of manufacturers in the City of Salisbury, Maryland be and the same are hereby exempted from taxation by the Mayor and Council of Salisbury, and that said exemption shall be and become effective retroactively as of January 1, 1961, and shall remain effective for the period of ten (10) years beginning on the first day of January, 1961.

18. There being no further business the meeting adjourned at 11:15 P.M. on a motion by Councilman Martin and seconded by Councilman Longg.

February 27, 1961

Date


President of The Council


Clerk

Feb. 13, 1961

To: Mayor & Council

From: Treasurer

Subject: Transfer of Funds

Due to the fact that the Water, Sewer & Street Bond of 1959 and the Water, Sewer, Street & City Yard Bond of 1960 are so closely related and are getting interwoven financially, I am proposing to close out the 1959 issue.

The Riverside Drive project is in the red \$20,086.57. I recommend to balance that by transferring the following balances in the same Bond issue to the Riverside Drive project.

Cost of issue & engineering	10,770.10
Traffic Signal	171.46
Meter program	3,540.44
Sewer	4,642.51
Water Distribution	962.06
	20,086.57

This will leave in the 1959 issue \$411.60 for Water distribution plus \$28,737.81 which is the amount paid out of the 1960 issue for the Riverside Drive project. This amount \$29,149.41 will be transferred to the 1960 issue and close out the 1959 issue.

The Riverside Drive project has another payment due from the State up to \$6,299.28 depending upon the final audit. This amount will be deposited in the 1960 issue with credit going to the proper account.

Our Auditor, City Solicitor and Executive Secretary have given their approval.


W. H. Brittingham
Treasurer

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, February 27, 1961. The following were present: President of the Council William E. Wyatt, Jr., Councilmen Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. Mrs. Hurley, teacher at Junior High School, was present with a group of ten eighth grade students to observe the Council meeting. Mayor McLernon welcomed the group and introduced members of the City government.
3. The reading of the minutes of the meeting of February 13, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Laws.
4. Mr. Roscoe Dennis appeared before the Council regarding purchase of a piece of property on Glenn Road near the Sewage Treatment Plant which is owned by the City. The City Engineer gave a brief history of the property and stated that during the ten year period the City had owned the property there had been no apparent interest in anyone acquiring it until the past two weeks when three concerns became interested in the property, those concerns being the Dennis Oil Co., Hess Oil Co., and a paper box manufacturer. He stated that there is water and sewer up to the intersection in the area and that a formal agreement exists with the School Board whereby people would be permitted to tap the sewer and pay the School Board. He also stated that Mr. Dennis is particularly interested in having room for putting in fuel tanks, and that he would like to discourage construction in the vicinity of the 16" force main. The City Engineer presented a map of the property and advised that he had had a realtor make an appraisal of the property which was as follows: assuming Mr. Dennis can secure right of way for pipe line, the 1.85 acres near the water would be worth about \$5,000, the land near the street would be worth about \$4,000 per acre, however, he felt that the greatest value would be in having a road in the center of the whole piece of land with frontage, and if Mr. Dennis considered taking one-half of this property it would be worth about \$4,500. per acre. Councilman Long inquired as to whether or not the City has the legal right to sell property without advertising it for sale. Mr. Victor Laws, City Solicitor, advised that there is no requirement in the general law as to public auction, however he had consulted with Mr. Cropper, former City Solicitor, and had been advised that during his tenure of office as City Solicitor it had been a City policy of inviting bids on all City property disposed of. Mr. Laws advised that the City does have the right to dispose of this property without public bidding, but that it would be changing the City policy. The City Engineer stated that it would be necessary to develop Ellegood Street, which is a 40 ft. street in the County, and that he would recommend that the street be stabilized so that it would be acceptable to the County to take into their system. The City Engineer stated that he would ask the appraiser to give a uniform price on the entire property. After discussion Mr. Dennis stated that he would prefer paying \$4,500. per acre for the middle section of land near the street, and that if he could secure right of way on the river side where there would be an overhanging on other property, and secure mooring rights, he would be agreeable to acquiring a portion of the property for the minimum price set by independent realtor through public bidding procedure.
5. Mr. Russell Harshman and Mr. Cecil Ragains, represented by Mr. Sheldon Seidell, Attorney, appeared before the Council in the matter of storm drain problem in "Rich-Wil" Subdivision. The City Engineer explained the problem of the County drain emptying on neighbors' property, and stated that at the time Mr. Ragains built on his property the City took the position that it would

Minutes of Meeting of February 27, 1961

be the entire responsibility of Mr. Ragains to take care of the drainage. The City Engineer outlined three steps to correct the condition: "A" a cost of about \$700., "B" - about \$900., and "C" about \$900., or a total of \$2,500. Mr. Seidell stated that Mr. Ragains had offered to put in a drain to take the water to the City's line, to alleviate his neighbor's difficulty, at the time he built, and that he felt that the City should be willing to continue it the short distance to the City's main. After discussion the Council concurred in the City proceeding with Section "C", as outlined by the City Engineer, to cost about \$900. to correct the problem in "Rich-Wil" Subdivision, on a motion by Councilman Martin and seconded by Councilman Laws.

6. Mr. Wyatt, President of the Council, presented the official report from the Board of Supervisors of Elections on the result of the special referendum conducted on February 11, 1961 on the Annexation of Riverside Area - the results being: For Annexation - 85 Votes, Against Annexation - 242 Votes.

7. The President of the Council reported that a fully executed copy by the City, County and Chairman of the Salisbury Planning Commission and Wicomico Planning and Zoning Commission, of the policy directive to all personnel of the two Commissions, had been received for the City's records.

8. Mr. Victor Laws, City Solicitor, reported that he and the Building Inspector had reviewed the Cohen property on West Market Street, on which exemption from special Parking District No. 1 assessment had been requested. He stated that at 106 - 108 W. Market Street 33 parking spaces were required and at 110-112 W. Market Street 21 spaces were required, and that it was found that a total of only 16 spaces were available for each of the two buildings and that he could see no basis for the exemption requested. He also stated that Mr. Nason had been advised of these findings and had been invited to be present at the Council Meeting, and since he had not appeared he apparently had abandoned his request for exemption.

9. The City Solicitor reported in the matter of the Library and the County Commissioners had granted \$50,000, to the Library instead of the sum of \$75,000 which was hoped for, and that the \$50,000 would be donated over a five year period at a minimum rate of \$10,000 per year, also that the amount could be stepped up, but that they would not be required to pay it faster than that. He stated that he had discussed the matter with the Library Board to make sure that it would be possible for them to do what the City had agreed to, and that the Library Board advised that they felt that they were in a position to do the job, that they could borrow against the County's commitment and that plus what the City pays will give them sufficient to adequately do the job. He stated that unless there was some difference in the feeling of the Council he would proceed to revise the agreement and put it in final form. The Council agreed that the agreement be put in final form.

10. The City Solicitor reported in the matter of the Church Street Cases; that the Court had acknowledged receipt of the City's brief filed on February 20, 1961 and stated that he was hopeful that a motion will be granted to advance the cases to be heard possibly in April or May.

11. The City Solicitor reported that the Board of Zoning Appeals had overruled the City's denial of building permit to Mrs. Hadden at 607 Camden Avenue for the operation of a tea room, they considered it a home occupation.

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12. The City Solicitor reported that the Board of Zoning Appeals, at its meeting on Friday, February 24, 1961, had granted to Messrs. Jones and Lehman the variances requested by them for the proposed new McGrory's store on South Salisbury Blvd. on three conditions: (1) that Waverly Street would be relocated between Hazel Avenue and Ohio Avenue by the City, and the easternmost end of Florida Avenue and existing Waverly Street between Hazel Avenue and Ohio Avenue would be closed; (2) that vehicular access be provided from the front parking area to Hazel Avenue in order to reduce traffic congestion in the front parking area; and (3) that not less than 120 parking spaces be provided on the front lot facing on Salisbury Boulevard as enlarged in size by the said street relocation. The City Solicitor said that at its last meeting on February 13, 1961, the City Council had approved the relocation of Waverly Street between Hazel and Ohio Avenues, provided it was done without right-of-way cost and provided the developers would agree unconditionally to pay \$7,000.00, being the estimated cost of sidewalks, curbs, gutters and storm drainage for the two block section of the relocated street. He said that Mr. George Chandler, representing the developers, had stated that they would agree unconditionally to make such payment, but that Mr. Cooper, City Engineer, and Mr. Gilman, Planning Director, had advised him that they restudied the proposed relocation since the Council meeting on February 13 and felt that the Council had perhaps acted too hastily and should reconsider its decision on the location of the new section of street.

Mr. Cooper, City Engineer, produced a plat showing the location originally suggested by his department (the "Black-line" Route), the location approved by the Council on February 13 to avoid right-of-way cost, (the "Red-line Route"), and the location advocated by Mr. Cooper and Mr. Gilman for a new street four blocks long parallel to Waverly Street and slightly west thereof to connect East Street with Vine Street at Newton Street (the "Yellow-line Route"). Mr. Cooper and Mr. Gilman urged the Council to adopt the "Yellow-line" Route because it provided a better connection with Vine Street for better traffic handling and gave more commercial depth for the properties fronting on Salisbury Blvd. Mr. Cooper suggested building the "Yellow-line" Route only as far as Ohio Avenue in 1961 and using Ohio Avenue temporarily to move traffic back to old Waverly Street and Maryland Avenue. Councilman Martin objected that this merely moved the problem of a "dogleg" street pattern from Hazel and Waverly two blocks away to Ohio and Waverly, and did not solve the problem at all. He also said that the City had many capital improvement projects already committed, and the "Yellow-line" Route would mean another substantial commitment for 1962 and future years. Councilman Long agreed with Councilman Martin and said he favored going ahead with the "Red-line" Route because it would be less expensive.

After much discussion the Council directed Mr. Cooper to restudy the "Yellow-line" Route before the next regular meeting on March 13 and report in detail the estimated cost of the "Yellow-line" project. The Council also directed the City Solicitor to advise Mr. Chandler that the City would relocate Waverly Street in 1961 between Hazel and Ohio Avenues in some one of the suggested locations upon contribution of \$7,000.00 by the developers, and accordingly the developers could comply with the conditions set by the Board of Zoning Appeals and would be entitled immediately to have their building permit issued by the Building Inspector.

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13.)

Ordinance No. 814 AN ORDINANCE of The City of Salisbury for the closing of Kelley Street (being a public street extending South from Johnson Street to Vaden Avenue), for the closing of a portion of Vaden Avenue extending in a general Northerly direction from its intersection with the South line of Kelley Street to its intersection with the South line of Decatur Avenue, and for the closing of a platted, but unopened, 10-foot alley extending in a general Northerly direction from Kelley Street toward (but not intersecting) Decatur Avenue for a distance of approximately two hundred feet; and providing for the use by The City of Salisbury for park and playground purposes of the portions of the beds of the said closed streets, parts of streets and alleys, was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Martin.)

14.)

Mr. Gilman, Planning Director, discussed the proposed Urban Renewal Act which is in the 1961 General Assembly for legislation, and recommended that the Mayor, the Executive Secretary and himself be authorized to meet with the Delegation and request that the Urban Renewal Act be introduced for legislation. The Council concurred in accepting the recommendation of the Planning Director on a motion by Councilman Long and seconded by Councilman Laws.)

15.)

The Planning Director reviewed the Urban Renewal Workable Program Application. He stated that three things are involved in Urban Renewal; conservation, rehabilitation and redevelopment. He also stated that the workable program is divided into seven points which he outlined.)

16.)

The Planning Director reported in the matter of the two lot subdivision of Pinehurst Manor. In this connection the City Engineer read a letter from Mr. Roger Steffens regarding the proposed method of sewage disposal for this subdivision. Mr. Cooper advised that the City's Sanitary Engineer had investigated the proposed method and that he had reported that it would be satisfactory to use the pumping system proposed to be installed in the basement. Mr. Cooper urged that Mr. Steffens be advised that should the system fail that he will not be permitted to use septic tank. After further discussion the Council concurred in accepting recommendation of the City Solicitor - that approval of the subdivision be held until an agreement acceptable to the City Engineer that a septic tank may never be used at this location has been furnished by Mr. Steffens.)

17.)

Mayor McLernon reported that he was not prepared at this time to make appointment of a new member to the Planning and Zoning Commission and the Board of Appeals to fill the vacancy of Mr. Harry Hopkins. He asked the Council for suggestions in making the appointment.)

18.)

The City Engineer reported that it was necessary to repair and recondition Well No. 9 and stated that he would like to get this project underway before Mr. Brittain leaves the City's service. Mr. Brittain outlined what is proposed to be done in the restoration of Well No. 9 and also the necessity for it, and presented the proposal of Warner Vaughn Company (see copy attached to minutes). The City Engineer requested that he be authorized to proceed with the restoration of Well No. 9, in accordance with the proposal, at an estimated cost of about \$2,000.00. After discussion the Council authorized the City Engineer to proceed with the redevelopment of Well No. 9 as set forth in the Warner Vaughn Co. proposal, on a motion by Councilman Martin and seconded by Councilman Laws.)

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19. Mayor McLernon announced that following adjournment of the regular meeting there would be a short recess and the Council would reconvene in an executive session.)

20. There being no further business the regular meeting of the Council adjourned at 10:20 P.M. on a motion by Councilman Laws and seconded by Councilman Martin.)

March 13, 1961
Date

Mr. Martin
President of The Council

Josephine M. Traublefield
Clerk

The Council of The City of Salisbury met in regular session at 8:00 P.M., Monday, March 13, 1961, at the City Hall. The following were present: President of the Council, Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of February 27, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.
3. Mr. Victor H. Laws, City Solicitor, reported on the status of the condemnation case against Lloyd Chandler and wife to acquire property for Lake Street Playground. He stated that the case has been pending since December 1960 due to Mr. Chandler being in Florida and that he had requested the Court to give authority for order of publication and that the condemnation case can now proceed. He stated that it will take until about May 15 to get jurisdiction in this manner, but that it will save about a month and a half.
4. Ordinance No. 814 AN ORDINANCE OF The City of Salisbury for the closing of Kelley Street (being a public street extending South from Johnson Street to Vaden Avenue) for the closing of a portion of Vaden Avenue extending in a general Northerly direction from the intersection with the South line of Kelley Street to its intersection with the South line of Decatur Avenue, and for the closing of a platted, but unopened, 10-foot alley extending in a general Northerly direction from Kelley Street toward (but not intersecting) Decatur Avenue for a distance of approximately two hundred feet; and providing for the use by The City of Salisbury for park and playground purposes of the portions of the beds of the said closed streets, parts of streets and alleys. was adopted on second and final reading upon a motion by Councilman Long and seconded by Councilman Martin.
5. The City Engineer reported that he had discussed the matter of moving the electric company pole line in the Vaden Street Playground area with the power company and that it can be done without any problem.
6. The City Solicitor reported that the agreement between the City and the Library Board had been fully executed by the Library Board and presented the agreement for execution on behalf of the City of Salisbury by Mayor McLernon. He also reported that the Trinity Church has adopted a resolution providing for the straightening of the line between the Church and Library property. (See copy of Resolution attached to minutes).
7. There was discussion on imposition of fines for traffic violations. Chief Chatham stated that at a recent meeting which he attended in Pikesville it had been brought to his attention that some communities receive some part of traffic fines provided they are charged under local ordinance, and that the City of Salisbury is losing this revenue because the City does not have such an ordinance. He stated that since the City has the expense of operating a radar car, owns and maintains the streets, and with motor vehicle cases increasing which requires about five man hours per accident, he would like to see the City receive some of the fines paid. He stated that under Section 182 of the Motor Vehicle Law, if the City had the required ordinance, that fines paid in the Peoples Court for motor violations would go to the Dept. of Motor Vehicles and that on the arrest slips showing arrest made under local ordinance a refund on such fines would be made to the City by the Dept. of Motor Vehicles. The City Solicitor advised that he had The City Solicitor reported that he had reviewed the State Law as to the grant of authority to the City, and that the City has the authority to regulate speed

limits on City owned streets, except State Highways, to regulate standing or parking of vehicles and to regulate traffic by men or traffic devices at designated intersections and to designate particular highways or streets as one-way. He also stated that in Article 52 the Justice of the Peace who tries the case is required to pay over the entire amount of fines collected by them to the Dept. of Motor Vehicles and there seems that a \$3.00 refund for every case should come back to the City. He advised that it is not clear whether or not it is mandatory, but that it does appear that possibly thru adoption of a traffic ordinance by the City to the limit that the State Law allows the City would get some money back. He stated that with Council permission he would like to get in touch with the Department of State and the Attorney General to determine whether or not there are any requirements attached to the \$3.00 refund and to investigate the matter further to determine whether or not some revenue can be gotten from traffic violation fines. The Council agreed that the City Solicitor investigate the matter further.

8. Mr. William M. Perkins, Executive Secretary, presented the matter of imposing a license fee for dogs in the City. He stated that the City of Rockville receives about \$3,800. annually from such licenses and that since the City has the expense of enforcing dog control it would be desirable, if it is possible, to obtain more equitable revenue between City and County. He stated that he had requested the City Solicitor to investigate the matter. The City Solicitor reported that there is a current statute in the County for vaccination and requirement for metal tags issued in the County Treasurer's Office, but terms apply to all dogs in Wicomico County and no distinction is made as to City and County, and that he did not think the City Dog Control Ordinance provides for anything other than impounding fees, however, since there is no exclusion it would appear that the City has the right to amend the Dog Control Ordinance, but that the County could impose licensing of dogs in the City also. The Executive Secretary stated that he would not want to increase cost to pet owners. After discussion the City Solicitor stated that he would discuss the matter with Mr. Boatman, Executive Secretary to the County Commissioners in an effort to explore the matter further and report back on the matter at a later meeting.

9. The City Solicitor presented contract for purchase of house and Lot No. 8 on Granby Street from Mary E. C. Davis for the extension of South Blvd. from Camden Ave to Riverside Drive for the sum of \$4,500.00. The City Engineer presented map showing location of the property in question and stated that the purchase had been discussed previously, about two years ago, and that the property owner feels that they have suffered some loss; and that this was a hardship case which involved an empty house due to loss of tenant when the purchase for right of way purposes was discussed two years ago. The City Solicitor stated that Mrs. Davis' Attorney demands to know whether the City is going to purchase the property or not and that if the City is going to purchase the property they want a contract signed, but are willing to wait until May 1962 for payment providing the City will pay interest on the purchase price at the rate of 6% and assume fire insurance and taxes; and that if the City decides they do not want to purchase the property she wants to know so that she can improve the property and rent the house. He stated that Mrs. Davis wanted an answer from the City at this meeting. After further discussion the Council authorized that the agreement of sale of the property, as presented by the City Solicitor, be executed by Mayor McLernon on a motion by Councilman Laws and seconded by Councilman Martin. Councilman Long voted in the negative.

Minutes of Meeting of March 13, 1961

10. The City Solicitor reported that the matter of use of private wells for watering lawns, etc. had arisen due to new water rates, that some of the people who have large areas of lawn point out that the cost to water their lawns through the City's water supply will be prohibitive. After much discussion the Council concurred in the decision that no private wells of any kind would be permitted this year.

In this connection Councilman Martin stated that many complaints are being received due to high water bills and that there were some outstanding cases that require Council's consideration for some relief. He suggested that the flat rate plus a 10% penalty be charged in these cases.

The Treasurer inquired as to whether or not the proposed penalty was to be imposed on delinquent water bills and the water cut off on those accounts which appear to be unusually high and are unpaid, due to complaint having been made. He stated that many are paying their bills after being told that there is no relief.

After much discussion the City Solicitor recommended that after the third section of the City has been billed in April that he and the Treasurer analyze the situation and endeavor to arrive at some relief which would be equitable to all concerned, and that people who complain be permitted until after method of relief is decided upon to pay their bills, and that they be informed that an adjustment of charges will be made only on the first bill. The Council concurred in accepting the recommendations of the City Solicitor on a motion by Councilman Fullbrook and seconded by Councilman Long.

11. The City Solicitor reported that he had been advised by Delegate Caldwell that he had looked over the Urban Renewal Bill and had discussed it with other members of the Delegation and that they are in favor of it, and assured him that it would be introduced and saw no reason why it should not pass.

12. Mr. Sam Cerniglia of Johnny's and Sammy's Restaurant was present to discuss the Waverly Project. Mr. Cooper, City Engineer, reported on the estimated construction cost and right of way cost of the Yellow Line Route proposed for the relocation of Waverly Street. The first section of the Yellow Line Route between Hazel Avenue and Ohio Avenue - cost of curb, gutter, sidewalk and storm drain would be \$7,023.50 (a cost close to the \$7,000, agreed to be paid by Lehman and Jones) and the cost of \$4,050 for stabilizing and surfacing, of which one-half of the grading could be done with City forces and the other half from surfacing program presently budgeted. He stated that there would have to be an outright acquisition of the Hopkins property, possibly acquiring one lot and moving the house, and that the purchase of the house would cost in the neighborhood of \$15,000, and about \$6,000, to move the house to a \$700 lot; and that there would also be a proximity cost of \$830 each for two properties. For the second section of the Yellow Line Route, between Ohio and Maryland Avenue, the curb, gutter, and sidewalk cost would be \$4,280.00, with a storm drainage cost of \$2,065, a total of \$6,345.00. The third stage of the Yellow Line Route - Maryland Avenue to Newton Street - total rights of way costs would be approximately \$23,316, and total construction costs \$8,610. He stated that it was possible to recover about \$5,000 if one house could be removed and not demolished, and that the total estimated cost of the Yellow Line Project, for the three sections, would amount to approximately \$65,338.00.

Minutes of Meeting of March 13, 1961

Councilman Long stated that he felt that it was a good project, but since there are other projects to which the City is committed to do and due to the fact that the City is just about one-half million dollars within reaching the debt limit, he would like to see the City proceed with the route originally approved by the Council.

Mr. Cerniglia stated that there were a number of accidents occurring in this vicinity of the Boulevard and asked for some relief for people entering and leaving his place of business.

Councilman Laws stated that it was his feeling that this project should have priority over the project previously discussed at this meeting, the extension of South Blvd. from Camden Ave. to Riverside Drive, in order to get traffic off the Salisbury Boulevard.

After much discussion a motion was introduced by Councilman Fullbrook to do sections one and two of the Yellow Line Route in 1961 contingent upon arrangements being made for the closing of Ohio Avenue between the Yellow Line Route and Salisbury Boulevard; and contingent upon the widening of Maryland Avenue by 15 feet from the Yellow Line Route to Salisbury Boulevard. This motion was seconded by Councilman Laws. Councilmen Long and Martin voted in the negative. Then President of the Council, Wm. E. Wyatt, Jr., cast an affirmative vote in the case of the tie vote and the motion was duly carried.

13. The Executive Secretary reported that Mr. Lester Richardson had requested renewal of lease of the tillable farm land on the Johnson Park Property for a two year period at the rate of \$450.00 per farming season, rather than the one year lease he has previously had, due to his plan to improve the land with lime and other chemicals. After discussion the Council agreed that the tillable farm land at Johnson Park be leased to Mr. Richardson for the 1961 and 1962 farming season at the rate of \$450.00 each farming season on a motion by Councilman Long and seconded by Councilman Laws.

14. Mr. Gilman Planning Director, reviewed the subdivision plat of James C. and David W. Williams on Cooper Street. He stated that there were five lots in the subdivision on which four buildings had been erected without ever having been legally subdivided, and that for the purpose of recording the plat a subdivision was now requested. He stated that the only solution appeared to be a 15 ft. dedication on Cooper Street and advised that he would informally seek such a dedication.

15. The City Engineer presented the matter of City policy on alleys. He reviewed the request of Miss Kathryn Harmon of Washington Street to open an alley from Monroe to Jackson Street and read a letter which he had written to Miss Harmon in April 1959 acknowledging a petition signed by citizens in the area requesting that the alley be opened. He stated that at the time it was proposed to open the alley it was found that gardens were planted and that the City had been requested to delay the work until later in the fall. He stated that a crew had gone out this date to cut down a tree growing in the alley and that one resident had telephoned and requested that it not be cut down and that the crew had stopped.

Mayor McLernon stated that sometime ago Miss Harmon had discussed the matter with him and that the tree is undesirable to have in any yard, and that he was of the opinion that Miss Harmon was interested in the removal of the tree rather than the development of the alley, and that he saw no objection to removing the wild cherry tree from the alley, as he thought it might be a compromise, with the alley not being opened. The City Solicitor advised that under provision of the Charter alleys can be put in on the basis of special assessments. Councilman Long stated that he felt that the City should declare a policy under the provisions of the Charter for special assessments in the matter of alleys. After discussion the Council authorized that the tree in question be removed from the alley, as requested, but the alley not be opened.

16. Councilman Laws requested that the flags at the City Monument be replaced, due to the bad condition of the present ones.

17. There being no further business the regular meeting adjourned at 10:40 P.M. on a motion by Councilman Long and seconded by Councilman Martin.

March 20, 1961

Date

W. E. M. S. H.

President of The Council

Josephine M. Traubfield

Clerk

The Council of The City of Salisbury met in special session at the City Hall at 8:00 P.M., Monday, March 20, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of March 13, 1961 was dispensed with on a motion by Councilman Martin and seconded by Councilman Long.
3. The City Solicitor reported that he had been advised that the Delegation had introduced the Urban Renewal Enabling Act, House Bill No. 753, for legislation and that it was proceeding satisfactorily.
4. Ordinance No. 815 AN ORDINANCE OF THE CITY OF SALISBURY making a final determination that the improvement proposed by Ordinance No. 790 of The City of Salisbury, being the relocation of that portion of West Church Street which is located between Saint Peter's Street and Mill Street in the City of Salisbury, shall be made; and in connection therewith providing for the abatement of a portion of the benefit assessments against certain abutting owners as determined by the Council of The City of Salisbury on October 12, 1959, in order that same shall accord with benefit assessments for four of such abutting owners as altered and fixed by the Circuit Court for Wicomico County upon appeal; further providing for the final closing of that portion of the bed of Church Street no longer required for street purposes; further providing that the respective amounts of damages to abutting owners as determined by the Council of The City of Salisbury on October 12, 1959, shall be offset against and deducted from the respective assessments for benefits to such abutting owners and that the net benefit assessments remaining after such deduction may be paid without interest or penalties during a period of six months following the date of entry of the final orders of the Circuit Court for Wicomico County in said four appeals; further authorizing the Mayor of The City of Salisbury to enter into written agreements under seal with persons affected by such net benefit assessments, and at their request permitting them to pay same in installments over a period not to exceed ten years from the date of said orders of the Circuit Court for Wicomico County, unpaid installments to bear interest at the rate of six percent until paid; further authorizing the Mayor of The City of Salisbury and the City Solicitor of The City of Salisbury to take all steps (including the obtaining of a deed or deeds from the State Roads Commission and the execution of a quit-claim deed or deeds in favor of abutting property owners) requested and reasonably believed to be necessary to perfect title of said abutting owners to their respective portions of the former street bed or of removing any question with respect to their title thereto; further providing for the exemption from half-year ad valorem tax assessment and collection in 1961 the former street bed acquired by abutting property owners; and authorizing City officials to take all necessary action to carry out the purpose and intent hereof was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Laws.

Councilman Fullbrook inquired as to the phraseology of the beginning of Section 5 of the above Ordinance, whether or not the word "Council" should not be included, and after discussion it was agreed that Section 5 of Ordinance 815 read "With approval of the Council in each instance the Mayor, etc."

5. RESOLUTION NO. 6, A RESOLUTION of The Council of The City of Salisbury authorizing the City Treasurer to credit certain payments received by The City of Salisbury from the State Roads Commission of Maryland against net benefits assessed by the City of Salisbury to Eloise M. Doody,

Minutes of Special Meeting of March 20, 1961

et al., and R. E. Powell and Company in connection with the relocation of West Church Street was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Laws.]

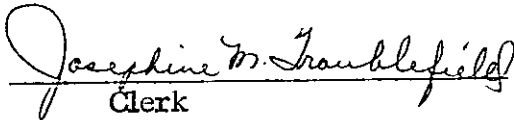
6. There being no further business the special meeting was adjourned at 8:25 P.M. on a motion by Councilman Long and seconded by Councilman Martin.]

March 27, 1961

Date



President of The Council



Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, March 27, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the special meeting of March 20, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Laws.
3. Mr. Robert Doyle appeared before the Council and stated that he had been requested by the Salisbury Retailers' Association to set up a three day promotional on Main Street. He stated that it was proposed to close Main Street from Division to Market Street and create a sort of temporary mall with exhibits of flowers, shrubbery, garden furniture, boats, cars, fashion shows and possibly some entertainment, and that this was planned for May 11, 12, and 13, 1961. He advised that he had discussed the matter with Chief Chatham and that it was proposed to leave emergency lanes open for Police and Fire Dept. Vehicles. Chief Chatham advised that he saw no difficulty with traffic and would try to work along with Mr. Doyle's request, and recommended that Mr. Doyle submit a detailed plan designating location of the various exhibits and the proposed emergency traffic lanes for study. After discussion the Council concurred in accepting the recommendations of Chief Chatham and advised Mr. Doyle to submit a detailed plan as recommended to Chief Chatham on a motion by Councilman Martin and seconded by Councilman Long.
4. Mr. Howard White represented by Mr. Walter Anderson, Attorney, Mrs. Mary Hopkins, Mrs. Julia Wingate, Mr. Winter Fields and Mr. George Hall were present to discuss the Waverly Project. Mr. Anderson stated that he was representing Mr. Howard White and they were present to oppose the alternate route for the relocation of Waverly Street which was adopted by the Council at the last meeting. He stated that Mr. White's mother owns the property at 217 Maryland Avenue and that Mr. White is concerned about the fact that there will be no parking in front of his mother's property and no way to get into or out of her property under the proposed plan. Mr. White stated that his mother and others in the area would prefer to see the route first adopted by the Council go thru.

Mrs. Mary Hopkins stated that she was present to object to the route of the relocation of Waverly Street and raised the question of the Raymond Hopkins property being given a higher value than hers. She also stated that she had been lead to believe that there would be nothing done toward the relocation for about a year, and that she had never been contacted regarding the alternate route.

Mr. Winter Fields inquired as to reason why the route could not follow a straight line and why the route was changed from one direction to another.

Mr. George Hall stated that his main objection was the tremendous amount of traffic there would be in front of his house, and that if the street went all the way through he would not have too much objection.

The City Engineer explained that the alternate route was determined strictly on the basis of what was considered to be the best route available and he presented a map outlining the route. He advised that when he made initial contact in the area he did not expect the relocation to be

Minutes of Meeting of March 27, 1961

built in 1961.

Mayor McLernon stated that it was regretful that there had been some misunderstanding regarding the project, but as had been explained, the project moved along much more quickly than had been anticipated and that there was not time for thorough contact with everyone concerned, and he assured those present that the matter will be equitable whichever way the route goes. The President of the Council thanked the group for appearing and advised that the City would continue with planning and if possible an agreeable solution.

5. Ordinance No. 815 AN ORDINANCE OF THE CITY OF SALISBURY making a final determination that the improvement proposed by Ordinance No. 790 of The City of Salisbury, being the relocation of that portion of West Church Street which is located between Saint Peter's Street and Mill Street in the City of Salisbury, shall be made; and in connection therewith providing for the abatement of a portion of the benefit assessments against certain abutting owners as determined by the Council of The City of Salisbury on October 12, 1959, in order that same shall accord with benefit assessments for four of such abutting owners as altered and fixed by the Circuit Court for Wicomico County upon appeal; further providing for the final closing of that portion of the bed of old West Church Street no longer required for street purposes; further providing that the respective amounts of damages to abutting owners as determined by the Council of The City of Salisbury on October 12, 1959, shall be offset against and deducted from the respective assessments for benefits to such abutting owners and that the net benefit assessments remaining after such deduction may be paid without interest or penalties during a period of six months following the date of entry of the final orders of the Circuit Court for Wicomico County in said four appeals; further authorizing the Mayor of The City of Salisbury to enter into written agreements under seal with persons affected by such net benefit assessments, and at their request permitting them to pay same in installments over a period not to exceed ten years from the date of said orders of the Circuit Court for Wicomico County, unpaid installments to bear interest at the rate of six per cent until paid; further authorizing the Mayor of The City of Salisbury and the City Solicitor of The City of Salisbury to take all steps (including the obtaining of a deed or deeds from the State Roads Commission and the execution of a quit-claim deed or deeds in favor of abutting property owners) requested and reasonably believed to be necessary to perfect title of said abutting owners to their respective portions of the former street bed or of removing any question with respect to their title thereto; further providing for the exemption from half-year ad valorem assessment and collection in 1961 the former street bed acquired by abutting property owners; and authorizing City officials to take all necessary action to carry out the purpose and intent thereof, was adopted on second and final reading on a motion by Councilman Long and seconded by Councilman Martin.

6. Resolution No. 6 A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY authorizing the City Treasurer to credit certain payments received by The City of Salisbury from the State Roads Commission of Maryland against net benefits assessed by the City of Salisbury to Eloise M. Doody, et al., and R. E. Powell & Co. in connection with the relocation of West Church Street, was adopted on second and final reading on a motion by Councilman Long and seconded by Councilman Laws.

7. Mr. Victor Laws, City Solicitor, reported that contract on the Mary Davis Property had been fully executed and the City would take title within 30 days.

Minutes of Meeting of March 27, 1961

8. The City Solicitor reported that the Attorney General had acknowledged request for a ruling on amending traffic fines.)

9. The City Solicitor explained that in the matter of Section 42 of the Zoning Code dealing with the obstruction of view at intersections does not provide for enforcement for obstruction which existed before passage of Ordinance No. 798 on August 3, 1959, and that the question will be raised that some obstructions existed long before the passage of the Ordinance when enforcement becomes effective August 3, 1961, and that the City does not have the right to ask that they be removed, and that he felt that at some stage there would be a test case to determine what the City's power is under provisions of the Ordinance. He suggested that in order to determine the extent of the City's power in advance of date Ordinance becomes effective (August 3, 1961) that the Court be asked for a declaratory judgment. After discussion the Council requested the City Solicitor to initiate declaratory judgment proceedings to clarify the City's enforcement powers under Ordinance No. 798.)

10. Mayor McLernon reported that bids on Contract SM-1-61, Curb, Gutter and Sidewalk had been received as follows:

Paul V. Downing, Inc., Salisbury, Md.	\$ 26,460.00
George and Lynch, Inc., Wilmington, Del.	36,175.00

Mayor McLernon stated that the bids had been reviewed by the Department of Public Works and it was recommended that the contract SM-1-61 be awarded to the low-bidder, Paul V. Downing, Inc. The Council concurred in awarding Contract SM-1-61 to Paul V. Downing, Inc., in the amount of \$26,460.00 on a motion by Councilman Laws and seconded by Councilman Martin.)

11. Mayor McLernon read a letter from Chief W. Austin Moore, Sr., submitting his resignation as Chief of the Fire Department, due to his health, effective May 6, 1961. After discussion Councilman Martin introduced the following Resolution, which was duly seconded by Councilman Long and unanimously adopted by the Council:

WHEREAS, W. Austin Moore, Sr., Chief of the Fire Department of The City of Salisbury has tendered his resignation from such post, effective May 6, 1961, due to his health, after a period of service of forty-four years in various capacities with the Fire Department of The City of Salisbury and predecessor units.)

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of The City of Salisbury with profound regret do hereby accept Chief W. Austin Moore's resignation, for the reasons above, to be effective May 6, 1961; and be it further resolved that appropriate copies of this Resolution shall be forwarded by the Clerk of The City of Salisbury to Chief Moore in token of the Mayor and Council's affectionate respect and admiration for him, and their profound regret at the necessity for his resignation at this time from said post.)

Minutes of Meeting of March 27, 1961

12. Mayor McLernon reported that Patrolman Roland Muir of the Police Dept. had suffered another heart attack and was under treatment in the hospital and that tho* he has not formally submitted his resignation that Chief Chatham had been informed that he will be unable to return to duty. He stated that his sick leave was exhausted by his prior illness and he has no accumulated sick leave, and that he felt that it would be appropriate to extend sick leave in Patrolman Muir's case for a period of approximately 30 days. After discussion the Council concurred in extending sick leave for Patrolman Muir for a period of four weeks, beginning March 26 and ending April 22, 1961, on a motion by Councilman Long and seconded by Councilman Laws.

13. The following Resolution was introduced by Councilman Long and duly seconded by Councilman Laws and unanimously adopted by the Council:

WHEREAS, The Mayor and Council of The City of Salisbury have been saddened and grieved to hear of the untimely death of Calvin G. Lomax, Mayor of Easton, Maryland, whom they have regarded with respect and affection for many years past;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of The City of Salisbury that there be expressed and spread upon the minuted of the Council of The City of Salisbury a statement attesting to the respect and affection which they held for the said Calvin G. Lomax by reason of his integrity and his steadfast devotion to the best interest of his community; and be it further resolved that appropriate copies of this Resolution shall be forwarded by the Clerk of The City of Salisbury;

14. The President of the Council, Wm. E. Wyatt, Jr., announced that a committee consisting of himself, Councilman Long and County Commissioner Hermus Lowe had decided upon the selection of Mr. W. Thomas Holland, Jr. to be appointed as a member of the Salisbury Planning Commission. Mayor McLernon accepted the recommendation and upon a motion by Councilman Martin and seconded by Councilman Laws the Council concurred in the appointment of Mr. W. Thomas Holland, Jr. to serve as a member of the Salisbury Planning Commission for a five year term expiring February 28, 1966; and also to serve as a member of the Board of Zoning Appeals, to fill the unexpired term of Mr. Harry Hopkins, who resigned, expiring October 29, 1962.

15. Mr. Oscar Carey appeared before the Council in the matter of approval of subdivision of Hillside Park. Mr. Gilman, Planning Director, reviewed the matter and explained that the subdivision had been tentatively approved by the Council prior to the function of Subdivision Control being transferred from the Department of Public Works to his office and in checking the plat against the long range plan he found two areas which are in conflict with the plan - one area along Middle Neck Branch shown on the plan to be a part of future park system and the other area shown to be a part of a major highway to connect Ocean City Road with Salisbury Blvd. He presented an overlay on the subdivision plat to show how the subdivision could be laid out and not conflict with the long range plan, and it was found that the number of lots in the subdivision would be reduced. Mr. Gilman stated that neither subdivision regulations nor the plan have been adopted as yet and that there is no power to demand compliance with regulations, but that if the area is developed now without reservation for park system there would be no chance to make the park contiguous to the stream.

Minutes of Meeting of March 27, 1961

Mr. Carey stated that the plat was submitted in December 1960, but the Department of Public Works was unable to make final review for final approval before the function of subdivision control was changed, and that where they want to cooperate and go along with whatever the City needs, and he can see some advantage of a park system, he did not feel that it would compensate for the number of 5 lots which would be lost.

After much discussion it was the consensus of opinion that the plan for the street be developed and submitted together with the subdivision plat for approval.

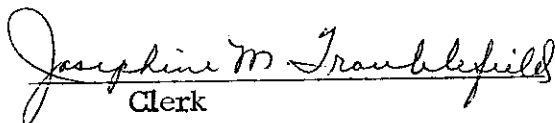
16. Mr. Don Bowdoin and Mr. Fred Kreiser appeared before the Council and requested two additional poles in the outfield for lighting Harmon Field and also public toilet facilities. Mr. Kreiser advised that in addition to the two light poles the one at the third base side of Harmon Field has rotted out and has been condemned and requested that it also be replaced.

Mayor McLernon advised that the City has plans for Harmon Field, but that delay has been experienced in acquiring additional property which is needed for the toilet facilities, and that when the land is acquired it is planned to move the fence around the backstop to make room for toilet facilities; and also that he felt the entire facility will develop with the acquisition of the land. He advised that an investigation would be made regarding the lighting plan.

17. There being no further business the meeting adjourned at 9:50 P.M. on a motion by Councilman Long and seconded by Councilman Laws.

April 10, 1961
Date


President of The Council


Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, April 10, 1961. The following were present: Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. Councilman Joseph J. Long was named President Pro Tem, in the absence of the President of the Council, Wm. E. Wyatt, Jr., on a motion by Councilman Laws and seconded by Councilman Martin.
2. The meeting was opened by repeating The Lord's Prayer.
3. The reading of the minutes of the meeting of March 27, 1961 was dispensed with on a motion by Councilman Laws and seconded by Councilman Martin.
4. Mr. Victor H. Laws, City Solicitor, reported that the City's Urban Renewal Enabling Law, House Bill No. 75, was passed on the last day of the session of the Legislature embodying 20 amendments which were made in conference with Senator Nock, Mr. Perkins, Executive Secretary, and himself. He stated that the changes were designed to give more protection to the public.
5. The City Solicitor reported on the possibility of adoption on the part of the City of a traffic ordinance regulating traffic on City streets. He read a letter from Mr. Eli Baer, Assistant Attorney General, setting forth a ruling in the matter. He stated that he and the Chief of the Police Department had gone over the situation and it was their joint recommendation that an ordinance be prepared in accordance with the ruling of the Attorney General's Office imposing fines, penalties and forfeitures applying only to violations on streets, roads and alleys in the City of Salisbury apart from the State Road System. He stated that Chief Chatham suggested three speed limit penalties as follows:

Penalty for exceeding 25 miles in a 25 mile zone -	Fine up to \$100.00
Penalty for exceeding 30 miles in a 30 mile zone -	Fine up to \$100.00
Penalty for exceeding speed greater than reasonable under existing conditions -	Fine up to \$100.00

Other penalties suggested were:

Penalty for disobeying traffic signal or officer -	Fine from \$1.00 up to \$100.00
Penalty for moving in wrong direction on one-way street -	Fine up to \$50.00
Regulate weight of vehicles using public parks to one ton -	Fine up to \$50.00 at the discretion of the Magistrate.
Penalty for failing to stop at stop sign -	Fine \$1.00 up to \$100.00

The City Solicitor stated that the City is also empowered under State Law to regulate jay-walking, walk and don't walk signs and asked if the Council desired to consider that being included in the ordinance with a fine \$1.00 up to \$100.00.

The City Solicitor explained that under a local ordinance when a person is arrested for any of the above violations, the case is tried by the Justice of the Peace who collects the fine and Court Costs and the County keeps the Court Cost and the City receives the fines, penalties and forfeitures. After discussion the Council concurred in accepting the recommendations of the

Minutes of Meeting April 10, 1961

City Solicitor and the Chief of the Police Department to prepare an ordinance embodying all of the above regulations except Jay-Walking, Walk and Don't Walk Signs, on a motion by Councilman Laws and seconded by Councilman Martin.

6. The City Solicitor reported that in a meeting with representatives of the State Roads Commission an agreement was reached on some paper work to convey good titles along West Church Street and give deed to the City for all State Roads Commission interest between the South line of the new street and the South line of the old street. He stated that the City will then have sufficient title to convey the 13 pieces of land to the 13 separate owners. He also advised that it was found that the State Roads Commission owes a balance of \$2,520.74 to the City in connection with this division of cost of West Church Street Relocation. He stated that it had been the understanding of the Treasurer and himself that this amount had been paid to the City, but that the records indicate that such payment has not been received and that he was writing to the State Roads Commission requesting payment to close out that situation.

7. The City Solicitor reviewed a draft of a proposed Ordinance with respect to weed cutting. After discussion the Council concurred that Ordinance No. 816 AN ORDINANCE OF THE CITY OF SALISBURY relating to the duty of property owners to maintain their respective lots or parcels of land within the corporate limits so as to be clear of excessive growth of weeds and brush; repealing the last two sentences of Section 13-37 of the Salisbury City Code, 1959, relating to this subject, and enacting in lieu thereof four new sections providing for notices to cut, destroy and/ or remove same, and in the event of non-compliance with such notice, authorizing the Director of Public Works to have same cut, destroyed and/ or removed by City personnel or private contractors; and providing that the cost of any such cutting, destruction and/ or removal ordered by the Director of Public Works shall be charged to the property owner, and if not paid within thirty (30) days shall be entered as a lien against such property, and thereafter shall bear interest and be collectible as other City taxes, be introduced and duly passed for first reading on a motion by Councilman Martin and seconded by Councilman Laws.

8. The City Solicitor reported that there is conflict between the Building Code and the City Code provisions relating to fee for demolition permit and that the Building Inspector had recommended that the fee be standardized at \$4.00, which is the fee currently being charged. He stated that he would prepare the necessary ordinance to be introduced at the next regular meeting of the Council.

9. The Executive Secretary presented a contract for continued use of land for engine generator site at the Airport, Federal Aviation Lease No. Clca 693-A, for period July 1, 1961 ending June 30, 1962, to be executed on behalf of the City by Mayor McLernon. The Council authorized that the lease be executed by Mayor McLernon on a motion by Councilman "Fullbrook and seconded by Councilman Laws.

10. The Executive Secretary presented a lease between the City of Salisbury and Lester Richardson, for farm land at Johnson Park Farm for the farming seasons 1961 and 1962, to be executed by Mayor McLernon on behalf of the City. The Council concurred in authorizing that the lease be executed by Mayor McLernon on a motion by Councilman Laws and seconded by Councilman Martin.

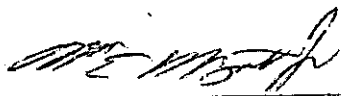
Minutes of Meeting of April 10, 1961

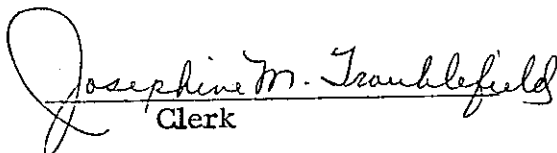
11. Mayor McLernon reported that the County had established an Industrial Park and the ordinance providing for the establishment of the Industrial Park requires the appointing of a technical committee for the purpose of reviewing and making recommendations, the committee to be composed of the County Director of Public Works, the City Director of Public Works, the Attorney for the Planning Commission, the Planning Director, the Chairman of the Industrial Park Committee of the Chamber of Commerce, a member appointed by the County Commissioners and a member appointed by the Mayor and Council, and a member of the Maryland Port Authority. He requested the Council to give some thought to the appointment of a member to this committee by the City to be decided on at a later meeting.

12. Councilman Fullbrook raised the question as to why the City does not investigate the possibility of licensing pin ball machines. He stated that he felt that the City should take advantage of the opportunity of getting this revenue. Chief Chatham stated that he had recommended that this be done sometime ago when the operation of these machines became legal for free games and that he felt that consideration should be given to licensing of pinball machines and music boxes as well. The City Solicitor inquired as to whether or not the Council was interested in the regulation of these machines as well as revenue. Chief Chatham advised that it was almost impossible to police the operation, tho* the machines were legal for free games only. Councilman Fullbrook stated that he was interested in the revenue for the City. After further discussion the Council concurred in requesting the City Solicitor and Chief Chatham to make a study of the possibility of licensing pinball machines and report on the matter at the next regular meeting of the Council on a motion by Councilman Laws and seconded by Councilman Martin.

13. There being no further business the meeting adjourned at 9:05 P.M. on a motion by Councilman Fullbrook and seconded by Councilman Laws.

April 24, 1961
Date


President of The Council


Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, April 24, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of April 10, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Laws.
3. Mayor McLernon read a letter from the Retailers' Association urging the Mayor and Council to consider the Council - Manager form of government.
4. Mayor McLernon read a letter addressed to the Mayor and Council from Mrs. Paul Ennis regarding the Urban Renewal Program and the pedestrian mall for downtown Salisbury.
5. Mayor McLernon read a letter addressed to the Mayor and Council from Roland Muir tendering his resignation from the Police Department as a Patrolman for reasons of his health, and expressing appreciation for the consideration shown him.
6. Mr. Art Clauser of the Monumental Engineering Co. appeared before the Council and stated that he had placed a trailer at different sites on rented premises in the City for display purposes for two or three days a week, with an attendant on duty for possibly four to five hours a day, and that he had been asked to remove the trailer from the City. He stated that he was before the Council to request permission to place the trailer at the locations of East Main Street across from Bill's Seafood Inn and at Lake Street near the Dispensary once or twice a month. Mr. Victor Laws, City Solicitor advised that he had discussed the matter with the Building Inspector and could find no provision in the Building Code which permitted the use of the trailer for advertising or for office use, and that the use of the trailer did not comply with requirements for signs or the Building Code requirements for structures. He stated that it was one of those situations where office use of a trailer simply does not seem to have been thought of when the Code was adopted. After discussion it was the consensus of opinion of the Council that there was nothing wrong with the use of the trailer for advertising purposes, as outlined by Mr. Clauser, and that some arrangement could be worked out for the issuance of a special permit to allow Mr. Clauser to park his trailer at the locations mentioned by him for advertising purposes. Mr. Laws advised that if it is permitted in this instance that the City will have similar requests. He also advised that he would meet again with Mr. Clauser, the Executive Secretary and the Building Inspector to further discuss Mr. Clauser's request and report on the matter to the Council at the next meeting.
7. Public hearing was held at 8:15 P.M. on the request for rezoning by Mr. John Colvin of his property located on the East side of South Division Street between Carrollton and East College Avenues from Residential A to Commercial. Mr. Gilman, Planning Director, explained the request was for the rezoning of a single lot on the East side of South Division Street which abuts an area already zoned Commercial and area on two sides zoned Residential. He reported that at a public hearing held by the Planning Commission on the rezoning of this property there was no one present objecting to the rezoning and that the Planning Commission recommended that the zoning be changed as requested. Mr. Laws, City Solicitor, explained that under provisions of the Zoning Ordinance the request could be granted only if there were a mistake in the boundary established in August 1959, or a change in the neighborhood. Mr. Laws asked Mr. Colvin

reason for requesting the change in zoning. Mr. Colvin advised that the 40 ft. frontage on S. Division Street was not sufficient frontage and that he wanted to consolidate the two lots to make sufficient size for building. Mr. Laws inquired as to whether or not there had been any substantial change in this area since the boundary was established in August 1959. Mr. Colvin replied that as far as he knew there had been no change in the last 15 years. Mr. Laws stated that since the application does not claim any mistake in the boundary established in August 1959 and no change in the neighborhood in 15 years that he was at a loss to see any basis under the Zoning Ordinance for making a change in the zoning, and that in his opinion that this request will be followed by similar requests in the same area. Mr. Wyatt, President of the Council inquired as to whether or not there was anyone present to protest the rezoning of this property. Mr. Philip Banks stated that he was present not to protest, but was interested in knowing the owners intentions as to future use of the property. Mr. Colvin stated that if it were rezoned he had someone interested in buying the property, whom he understood planned to build on the property and possibly operate a confectionery store. After much discussion the Council concurred in deferring action on the request until a later meeting on a motion by Councilman Martin and seconded by Councilman Long.

8. Mrs. Kenneth Miller and Mrs. Hayden Pentz appeared before the Council in the matter of facilities for the Shore Animal Shelter Association. Mrs. Miller explained that the Association was in need of a shelter for their operation and that she and a group of members of the Association had met with Mr. Perkins, Mr. Cooper at the old City Yard to look over the old quonset huts which have been vacated, and which could be made available for a shelter. She requested that along with building for shelter they would like to have any old surplus materials such as fencing, etc. She also requested that the Council consider allowing Mr. Sturgis, Dog Control Officer, to work directly with the Association using the Shelter to house City dogs and stated that City dogs would have first consideration. Mr. Cooper, City Engineer, presented a sketch showing one-half of the large quonset hut formerly used as a stock room, which had been shown to the group. He stated that to make available 12 to 15 feet of existing surfacing they would want sewer connection in each of five pens and that where there was no problem as to water, that it would cost about \$1,000. for sewer connections. He outlined another section at the old City Yard which could be served with water and sewer with fencing already in place. Mayor McLernon stated that it must be understood that if the City agreed to loan the Association one of the sites it would have to be on a temporary basis, as the property has been appraised at a very substantial figure and it was the City's intention to market the property, and in the event the City should have a sale for the property that the shelter would have to move on short notice. Councilman Martin stated that he saw no objection to permitting the Association to use a building at the old City Yard. Mayor McLernon advised that since the Council had indicated some willingness to cooperate with the Shelter that the matter would be given consideration and further study in an effort toward solution of the problem.

9. Mr. Oscar Carey appeared before the Council and requested approval of subdivision plat of Hillside Park No. 2. He stated that he would prefer approval of the subdivision as originally submitted without consideration of park and road reservation. Mr. Gilman presented plan of proposed street in the subdivision and stated that the street is intended to be a separation of the neighborhood, and if reservation for the street is not made now it will be extremely difficult to get it after it is subdivided. He also stated that in further discussion with the State Roads Commission that it does not appear that the proposed street will be shifted, and that he should get some definite answer as to alignment of major highways within 3 or 4 months. Mr. Carey stated that the plat was submitted last December and that even though some of the delay was his fault this was the time of year for building and he would like to proceed in one way or another.

Minutes of Meeting of April 24, 1961

Mr. Carey stated that he felt that the road would be a serious disadvantage to people who want to be away from traffic. Councilman Martin stated that he saw no reason for further delaying approval of the subdivision, since there was no definite plan for street the delay was on the assumption that the plan will be adopted, whereupon he introduced a motion that Subdivision Plat on Hillside Park No. 2, as originally submitted, be approved, which was duly seconded by Councilman Long and carried. Mr. Gilman advised that since January 1, 1961 it was the function of the Planning Commission to pass on subdivisions and that the subdivision requests were to be reviewed by the Council and their recommendations forwarded to the Planning Commission for passage of the subdivision.

10. Mr. Franklin Perdue appeared before the Council to request passage of an ordinance permitting use of the former Baugh Fertilizer located on the East side of Lake Street and the West side of the North Prong of Wicomico River as a grain unloading storage yard. Mr. Perdue explained the proposed operation at this location. Mr. Laws, City Solicitor, explained that there were problems in connection with the proposed use under both the Zoning Code and the Building Code, as grain storage was not specified altho the bulk storage of gasoline and petroleum was specified. He outlined the procedure for passage of ordinance in this case and advised that the Planning Commission had recommended this particular use on this property. He stated that if the Council agrees to introduce such an ordinance it would be necessary to advertise for 10 days in local newspaper and post sign on the property before final action could be taken on the ordinance. Councilman Fullbrook inquired as to whether this use was excluded from the Zoning Ordinance thru oversight, and suggested an amendment to the Zoning Ordinance. Mr. Laws stated that he was inclined to agree that it was overlooked, but advised that rather than undertake piecemeal amendments of the Zoning Ordinance to wait until there is a general amendment of the Zoning Ordinance undertaken.

11. Mr. Fred Flowers appeared before the Council in the matter of review of subdivision plat of property on Priscilla, Caroline and Hammond Streets. He stated that under the City's policy requiring advance expenditures for water, sewer and sidewalk, the amount involved to develop the four lots in this low priced residential area would be \$1,862.00 per lot before he could sell the land and that he did not consider it feasible as a residential area. Mr. Gilman explained the City's policy adopted in March 1960 requiring the advance of expenditures for water, sewer and sidewalk by the developer involving subdivision projects. Mr. Flowers stated that it was his opinion that this area should be a service area for a nice shopping center and that he would present a plan for such a shopping center for Council consideration at a later meeting.

12. The City Solicitor advised that Peninsula CATV requested consent of the Council to its assignment of its CATV franchise to the County Trust Company as security for loan. He advised that the ordinance granting the franchise requires the Council's consent and recommended the ratification of assignment. The Council resolved to ratify the assignment of the Peninsula CATV franchise, as requested, on a motion by Councilman Long and seconded by Councilman Laws.

13. The City Solicitor advised that since the introduction of Ordinance No. 816 relating to the cutting of weeds, the Executive Secretary had recommended that enforcement of this ordinance be function of the Bureau of Inspections rather than the Department of Public Works, and the Ordinance had been amended accordingly and was ready for second and final reading.

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14.

Ordinance No. 816 AN ORDINANCE of The Council of The City of Salisbury relating to the duty of property owners to maintain their respective lots or parcels of land within the corporate limits so as to be clear of excessive growth of weeds and brush; repealing the last two sentences of Section 13-37 of the Salisbury City Code, 1959, relating to this subject, and enacting in lieu thereof four new sections providing for notices to cut, destroy and / or remove same, and in the event of noncompliance with such notice, authorizing the Director of the Bureau of Inspections to have same cut, destroyed and/ or removed by City personnel or private contractors; and providing that the cost of any such cutting, destruction and/ or removal ordered by the Director of the Bureau of Inspections shall be charged to the property owner, and if not paid within thirty (30) days shall be entered as a lien against such property, and thereafter shall bear interest and be collectible as other City taxes, was adopted as amended on second and final reading on a motion by Councilman Martin and seconded by Councilman Laws.

15. Ordinance No. 817 AN ORDINANCE of The City of Salisbury defining certain offenses and violations regarding motor vehicles and traffic with respect to City streets, alleys and public ways not forming part of the State Roads System, establishing fines and penalties upon conviction of such offenses and violations, and providing for the disposition of such fines, penalties and forfeitures; and amending Code Sections 11-4, 11-19 and 11-20 in conformity therewith was introduced and duly passed for first reading on a motion by Councilman Laws and seconded by Councilman Martin.

16. Ordinance No. 818 AN ORDINANCE of The Council of The City of Salisbury amending Section 5-4 of the Salisbury City Code, 1959, relating to the fee for a building demolition permit in order to reduce said fee from Five Dollars to Four Dollars in conformity with Ordinance No. 787 (Building Code Ordinance) approved June 8, 1959 was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Martin.

17. There was much discussion on introduction of Ordinance No. 819 relating to the licensing of pinball machines and nickelodions, and it was decided that the fee for licensing music boxes be eliminated and the proposed fee of \$250.00 for licensing of pinball machines be reduced to \$100.00.

Ordinance No. 819 AN ORDINANCE of The Council of The City of Salisbury declaring that it is necessary for regulatory purposes in the interest of the public health, safety and morals, and for the prevention of gambling and games of chance within the City of Salisbury that pinball machines and console machines (as defined in the Maryland Code Annotated) kept, maintained or operated for the purpose of public entertainment within the corporate limits of the City of Salisbury be licensed; providing that the maintenance, possession and operation thereof without such license shall be unlawful, and that permitting any such pinball or console machine to be used or operated by any person under the age of eighteen (18) years shall be unlawful; providing fines and penalties upon conviction of such offenses and violations; and providing for the disposition of such fines, penalties and forfeitures, was duly passed for first reading, as amended, on a motion by Councilman Martin and seconded by Councilman Long. Councilman Laws voted in the negative.

The City Solicitor advised that he would submit Ordinance No. 819, as amended, to the State Law Department for an opinion as to legality before the next regular meeting of the Council, as the State Law prohibits local licensing of machines except in the case of regulatory purposes, and that Chief Chatham feels that the licensing is necessary for regulatory purposes.

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18. Ordinance No. 820 AN ORDINANCE of The Council of The City of Salisbury authorizing A. W. Perdue & Son to use the lot or parcel of land situate and lying on the East side of Lake Street and the West side of the North prong of the Wicomico River known as the Baugh Chemical property for the unloading, storage and reloading into trucks of grains delivered to said premises by water; and to make the necessary construction of new facilities or extension or alteration of improvements existing on said premises necessary for such uses, was introduced and duly passed for first reading on a motion by Councilman Fullbrook and seconded by Councilman Martin.

19. The Executive Secretary presented the matter of the proposed acquisition of 50 ft. of property for Harmon Field for toilet facilities. He stated that he did not recommend the expenditure of \$8,000 or \$10,000 for this property, in view of the long range plan for Carroll Street calling for a highway to go through a section of Harmon Field, and the fact that he and Mr. Cooper had looked the area over and felt that there was sufficient room for toilet facilities along the third base line near the triangle, and the money is needed for Doverdale Playground and other recreational areas. After discussion the Council concurred in accepting the recommendation of the Executive Secretary on a motion by Councilman Martin and seconded by Councilman Laws.

In the discussion on Doverdale Playground, Councilman Long stated that if the softball diamond is made according to the plan it will be taken over by the Recreation Commission for scheduled softball games and it was his opinion that the plan should be changed to provide for little league games and not softball as there was a great need for a location for Little League games. After much discussion it was decided to discuss the matter with Mr. Rickert on the proposed use of the ball diamond, whether for softball or Little League Games.

20. Councilman Laws inquired as to status of the playground at Virginia Avenue and Riverside Drive. The Executive Secretary advised that he would discuss the matter with Mr. Rickert and report at a later meeting.

21. The Executive Secretary reported that bids had been received on Contracts SM-2-61 and SM-3-61 as follows:

SM-2-61 - Bituminous Concrete Paving		SM-3-61 - Bituminous Paving (Surface Treatment)	
Interstate Amiesite Corp.	\$ 23,226.00	Delmarva Asphalt Co., Inc.	\$ 26,340.00
Standard Bitulithic Co.	24,850.00	Hannaman - Burroughs Co.	29,680.00
George and Lynch, Inc.	30,780.00		

The Executive Secretary stated that the bids had been reviewed by the Department of Public Works and that it was his recommendation that the low bidder be awarded the contracts. The Council concurred in awarding the bids as recommended on a motion by Councilman Laws and seconded by Councilman Martin.

22. The Executive Secretary reported that application to the State Roads Commission was being forwarded for the City's share of Gasoline Tax Fund in the amount of \$12,586.20, and the Motor Vehicle Revenue Fund in the amount of \$4,926.85, for the first Quarter of 1961.

Minutes of Meeting of April 24, 1961

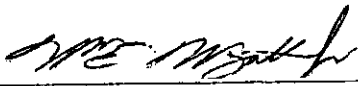
23. The Executive Secretary reported that he and the Treasurer had made a study of the matter of adjustment of water bills and had arrived at the decision to consider a credit on residential accounts using over 10,000 gallons per month. After discussion the Council concurred in accepting the recommendations of the Executive Secretary on a motion by Councilman Long and seconded by Councilman Martin.

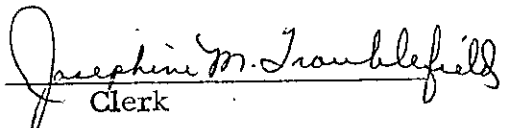
24. Mayor McLernon read a letter from the Secretary of the Voluntary Fire Dept., recommending the appointment of Mr. Wilson S. Taylor, Sr. as Chief of the Fire Dept., to succeed Chief W. Austin Moore, as the result of an election held by the Fire Dept. on April 19, 1961. Mayor McLernon appointed Wilson S. Taylor, Sr. as Chief of the Fire Dept., at a salary of \$5200. per year, effective May 6, 1961. After discussion the Council concurred in the appointment and approving the salary above, on a motion by Councilman Long and seconded by Councilman Laws.

25. Mayor McLernon reported that request had been made by the Retailers' Association for a special meeting with the Mayor and Council for the purpose of discussing Salisbury Parking District No. 1, and since he anticipated a lengthy meeting he felt it best to schedule the meeting for May 1, 1961 at 8:00 P.M.

26. There being no further business the regular meeting adjourned at 11:20 P.M. on a motion by Councilman Laws and seconded by Councilman Martin.

May 8, 1961
Date


President of The Council


Clerk

The Council of The City of Salisbury met in special session at the City Hall at 8:00 P.M., Monday, May 1, 1961. The following were present: President of the Council, Wm. E. Wyatt, Jr., Councilmen: Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr., Also present was Mayor Boyd E. McLernon.

Appearing before the Council were the following: Messrs. Lee Johnson, John Broyhill, Preston Burbage, Alvin Benjamin and Ed Gallaher of the Retailers' Association and Mr. Swallow, the Executive Director of Sr. Chamber of Commerce.

Mr. Wyatt, President of the Council, stated that the meeting had been called at the request of the Retailers' Association and asked who would lead the discussion for the group.

Mr. Lee Johnson stated that he would start the discussion and reported that during the past week Mr. Gaskill had called a meeting of the Parking Committee of the Sr. Chamber of Commerce and that after the meeting he and Mr. Gaskill and Mr. Broyhill had visited Mr. Perkins, the Executive Secretary, and that he had brought them up to date on a few items, some of which pleased and some which displeased them. He referred to the purchase of the property between the Library and Trinity Church, and stated that he hoped that the Abbott Bros. property would be removed as quickly as the buildings on this property had been removed. Mr. Johnson stated that the Parking Committee did not consider this property to be prime parking, and that the purchase price of \$30,000 to accomodate 20 cars, on the North side of Route 50, was the highest figure per car space paid so far. He stated that he understood that the Police Dept. would occupy the Library Building and that they will need five or six car spaces for parking. He stated that he had also learned that all parking spaces on Route 50 will be lost when it becomes a Throughway. He stated that the Parking Committee knew nothing of the planned purchase of the lot between the Library and Trinity Church, which they considered not to be prime parking, and that they were far more interested in parking as outlined in Mr. Gilman's Revitalization Program. He stated that he could not visualize parkers fighting traffic across Route 50 to get to Main Street, and that he felt that the City must be sure to pick up the same amount of parking spaces lost when Route 50 is opened and even to obtain additional spaces. He stated that on S. Division Street between the Hotel and the Fire House this area was originally laid out on Mr. Gilman's plan for parking, but that he had learned that certain realtors have purchased certain sites along that area. He stated that it was necessary to have closer relations between the Mayor's Parking Commission, the Planning Commission and the Mayor and the City Council when property is to be acquired. He stated that when property considered to be for prime parking is acquired that he felt that the Parking Committee of the Sr. Chamber of Commerce and the Mayor's special Parking Commission should be consulted and that they should get together and iron out problems without calling a special meeting of the Mayor and Council. Mr. Johnson also stated that at the beginning of the year the projected picture for the year should be reviewed for the year as to how much money there is available to spend, what properties can be acquired, how they fit in with parking problems and how they fit in with the Revitalization Program. He stated that the Retailers' Association had requested the Special Tax District Assessment and felt there should be an additional assessment district set up on East Main Street. He stated that they would like to know whether or not negotiations are being made to acquire the Wootten property on Camden Street. He also inquired as to whether or not the Mayor's Parking Commission still exists, and what authority the Commission has.

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Mayor McLernon advised that his special Parking Commission is still in existence and the authority is an advisory one to sit down and discuss problems and endeavor to reach a happy conclusion. He stated that he wanted the Retailers to feel free to come and discuss problems at anytime. Mayor McLernon stated that he was sorry to hear Mr. Johnson say that the Library property was not prime parking area, and perhaps it is not as prime as some areas, however, he believed it will be self-sustaining. He stated that a better picture is being gotten all the time of the revenues in the Parking District; and that the tax rate in the District is .20 and it is possible to have it at .40, but he felt things were going very well with the .20 assessment. He stated that he would ask the group to go along with the City on the parking areas on the North side of the Throughway, that though the picture may change, to-date they are yielding very good revenue. He stated that he had requested Mr. Gilman to go over the Revitalization Plan and look at it as it was related to parking in this District and he asked Mr. Gilman to state his thinking in the matter.

Mr. Gilman stated that if the work to be done is tied in with the Revitalization Plan it could possibly qualify for Federal assistance as an Urban Renewal Project. He explained that when he set up the parking program to be recommended to the Mayor and Council he did not try to set it up as an Urban Renewal Program, when the plan was first envisioned it was set up to be accomplished in four steps in 5 year intervals through bond issues. However, he stated that he had taken a representative of the Urban Renewal Commission on a tour of the down town area and had asked what he thought was the possibility of the parking plan qualifying for Urban Renewal, and that the representative indicated that it had an excellent chance of qualifying. He advised that up to time application is approved for grant, however, there is no guarantee for participation in the program, that there is always the possibility that the area may not qualify. He stated that if down town qualifies as a down town project it would add up to a major saving and thought that it was worth exploring. Mr. Gilman presented a map of the planned area - the block behind Market Street to the rear of Penny's Store and the Hotel and Camden Street. He stated that he thought these two area might qualify as a project to move on as quickly as possible.

Mayor McLernon stated that he felt that the area between Camden Street and Circle Avenue, Easterly of Market Street, and then to continue across S. Division Street would be a pertinent Urban Renewal Project to be utilized entirely by parking. He explained the proposed route on the plan for new Market Street.

Mr. Gilman pointed to the area in the upper right hand corner of the plan and stated that it was more important than any other property, as it was all vacant property and the value can change. He stated that as you move along, the property adjacent to property just acquired becomes more valuable.

Councilman Fullbrook inquired as to which property was more important the Cavanaugh property on Camden Street or the S. Division Street property.

Mr. Johnson replied that he thought it far more important to go in on South Division Street - he felt that the purchase of the Gunby property has been used as a yardstick on S. Division Street.

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Councilman Laws inquired as to how many car spaces the property from the Hotel to the Fire House would accomodate. The City Engineer stated he estimated about 100 car spaces, taking everything but the last two properties.

Mr. Benjamin inquired as to whether the whole idea of the Three-Stage Plan was to get into Urban Renewal.

Councilman Fullbrook stated that the future plan has nothing to do with right now.

Mayor McLernon advised - that it has - as part of Urban Renewal would relocate a part of Market Street.

Mr. Broyhill stated that Urban Renewal is fine, but if it is going to be one or two years from now before we get it, it would be worth paying extra taxes to get the down town project started.

Councilman Martin stated that apparently the need is pressing, that if the realtors are going to get the property, chances are if the City doesn't get it now the values will be so high as to be prohibitive to develop for parking.

After further discussion Mr. Johnson stated that he would like to go on record as recommending that the City start negotiations immediately to acquire the properties described on South Division Street.

Mayor McLernon asked Mr. Johnson if he would include the West end of Camden too.

Mr. Johnson replied that he understood negotiations had bogged down on Camden and that he felt it was more important to get South Division Street, as sooner or later Cavanaugh will be forced to move out.

Mr. Benjamin inquired as to whether or not it would be possible for the Mayor's Parking Commission to have a more stringent voice in parking matters. He stated that the Commission had been in existence for some time and had never had a meeting. He asked if it was possible for the group to be other than an advisory group, possibly to make solid recommendations and to have some funds, and possibly have appraisals made.

Mayor McLernon stated that he would be very glad to have the group come up and meet more often, that they have a standing invitation, but was unable to authorize funds or appraisals made.

Mr. Laws, City Solicitor, advised that the Commission did not have the right to encumber the City's interest in property by obtaining services of appraisers for appraisal of property.

Mayor McLernon stated that Mr. Gilman had advised that a representative from the Urban Renewal Commission would be in Salisbury on May 11, 1961 and after his visit the City

Minutes of Special Meeting - May 1, 1961

should have a more clear picture as to what the chances are for qualifying for Urban Renewal , and have more pertinent information on which he would report to the group in a meeting after May 11.

Mr. Johnson stated that he wanted to make it clear that the Retailer's Association is willing to make the Special Assessment Taxes go to even .30 in order to get the parking area described on S. Division Street.

Mayor McLernon presented request from the Department of Public Works for the purchase of used Adams Loader from Lance Eller, of Keller Virginia, for \$3,000.00 of which there is an appropriation in the Budget of \$2,700. for the purchase of a Sno-Flyer under accpunt No. 12.203(b). He set forth the reasons for the purchase of the loader rather than the Sno Flyer as being more effective and recommended that the additional \$300.00 needed to purchase the used loader be transferred from Account No. 12.203(a) Gen. Council approved purchase of the used Adams loader, as requested, on a motion by Councilman Martin and seconded by Councilman Laws.

The special meeting adjourned at 9:50 on a motion by Councilman Martin and seconded by Councilman Laws.

May 8, 1961

Date

W. S. M. M. M. M.

President of The Council

Josephine M. Traubfeld
Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, May 8, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of April 24 and the special meeting of May 1, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Fullbrook.
3. Messrs. Fred Battle, John Downing, Jr., and F. R. Todd appeared before the Council and presented a petition signed by 42 residents of the College Avenue - Camden Avenue area requesting that steps be taken to eliminate the use of those two streets as a cross over between Route 50 and the Salisbury Boulevard by heavy trucks and vehicles. Mr. Battle stated that twice during the last year he and others of this area had appeared before the Council requesting that signs be placed at locations to eliminate the traffic in this area and that he felt the condition had reached a stage where something should be done, as the traffic on these two streets is much worse this year than it was last year and continues to get worse. He suggested that at least something be done in the way of erecting signs such as "Trucks Do Not Enter," such as other towns on the Eastern Shore have prohibiting truck traffic on residential streets. He also suggested routing the heavy truck traffic back to Isabella Street and the Boulevard.

Mr. Victor Laws, City Solicitor, advised that under the City Code the Mayor has the power by resolution adopted with Council concurrence to designate certain streets for commercial traffic.

Mayor McLernon stated that, as he recalled the matter, the former City Solicitor did not think the City had sufficient powers to do what was requested by Mr. Battle and the other residents of this area when they appeared last year, however, if Mr. Laws thinks that the City has sufficient power, he felt that these residents deserved some relief and suggested that the matter be taken under consideration.

4. Mayor McLernon presented the Police Dept. Consolidated Report for the Month of April 1961.
5. Mayor McLernon reported that he had received a letter from Fire Companies No. 1 and 2 recommending appointment of Frederick Williams as Assistant Fire Chief, as the result of an election held by the Fire Dept. on May 3, 1961. Mayor McLernon stated that this appointment met with his approval. After discussion the Council concurred with the Mayor's approval of appointment of Frederick Williams as Assistant Fire Chief to be paid according to the automatic pay schedule, \$70.50 per week, effective May 6, 1961 on a motion by Councilman Long and seconded by Councilman Martin.
6. Mayor McLernon presented request from Chief of the Fire Dept. for Council approval of salary for Arthur Willing, Fireman - Driver, to fill existing vacancy, effective May 6, 1961, salary to be based on credit for volunteer service in the Salisbury Fire Dept. since January 10, 1946 (15 years - 4 months) equivalent to five years service for pay purposes, which would be \$64.50 per week. Council concurred in approval of salary as indicated on a motion by Councilman Long and seconded by Councilman Martin.

7. Mayor McLernon referred to a letter received from the County Commissioners advising of the adoption of an ordinance providing for the establishment of an Industrial Park District in the Salisbury - Wicomico Region; and also providing for establishment of a Technical Committee to consist of the City Director of Public Works and a member appointed by the Mayor and Council. He stated that he had previously asked the Council to give some thought to appointment of a member to this Committee and that he had discussed the matter with Mr. Perkins, Executive Secretary, who had agreed to serve on this Committee, and he recommended that Mr. Perkins be appointed as the City's member to the Technical Advisory Committee of the Industrial Park District. The Council concurred in the Mayor's recommendation on a motion by Councilman Long and seconded by Councilman Martin.

8. at 8:15 P.M. The President of the Council asked whether or not there was anyone present to protest the passage of Ordinance No. 820, which was advertised for public hearing at that time. There was no one present to protest the passage of Ordinance No. 820, relating to use of land for storage of grain, and the City Solicitor suggested that action on Ordinance No. 820 be deferred until later in the meeting, in order to hear a delegation present on another matter.

9. There were 15 merchants present from the Market Street Area to discuss parking. Mr. Alex Kravitz of the G. and K. Furniture Co. stated that the group was present to ask the Council to proceed as soon as possible to secure property and clear the block on Camden Street immediately adjacent to Market Street for parking purposes. He stated that it was his understanding that when the Parking District was set up it was planned that this particular block on Camden Street would be the prime target for the down town area, but for some reason the area near Market Street appears to have bogged down. He stated that with the relocated street and the Mill Street Bridge there is no vehicular traffic on Market Street, as well as no foot traffic, and their show windows might as well not be there; and with the existing situation the merchants can't do business as it should be done. Mr. Stanley Goldberg stated that the item appearing in the local newspaper following the special meeting of the Council and the Retailer's Association lead him to believe that money allocated to purchase the Cavanaugh Property was to be spent for acquisition of property on South Division Street.

Mayor McLernon advised that he believed the Parking District Plan, as originally set up, is proceeding on schedule, that the Abbott Building has now been vacated and in order to get earlier use of the property the Gunby salvage rights were purchased, and that the City has started dismantling the building and it would be only a matter of few weeks before it disappears entirely. He stated that the South Division Street proposition had not been planned by this Mayor and Council and had not been heard of until last Monday night when the group from the Retailer's Association came before the Council with their suggestion regarding the South Division Street property. He stated that after listening to the message of urgency last week he proposed that the matter be solved by incorporating the two areas with an Urban Renewal Project, in which the City has just been authorized by the Legislature to participate, enlisting Federal funds for the project. He stated that the Planning Director has made a study of the areas and believes there is some aid available, however, the plan would have to be presented and developed and would have to conform with overall plan for the Revitalization Plan for the down town area. He advised that on May 11 a representative of the Urban Renewal Commission will visit Salisbury to review the plan and after his visit the City will know just what the possibility of the program is. Mayor McLernon advised the group that he had reminded the group

from the Retailer's Association that without Federal assistance he felt they were asking for a lot, as he felt that the merchants on Market Street were next in line for relief.

Mr. Kravitz inquired as to where the Market Street Merchants stand in the event Federal funds are not made available. He asked if they were in a position to be considered as priority for the request of the Camden Street property in preference to area for those who have already quite a bit of parking. Mayor McLernon advised that he thought the Market Street group would have priority, and he felt that the parking plan for 1961 is a good plan and can't see too much merit in deviating from it. Mayor McLernon advised the group that the City is fully cognizant of the problem, and that it is being studied and worked on.

10. Messrs. Storuss, Sherman, and Whayland of the Eastern Shore Public Service Co., were present to discuss together with the City Engineer the matter of Street Lighting for Route 50. The City Engineer presented a map showing the proposed street lighting plan, using 250 watt mercury vapor lights and advised that the lighting would increase annual lighting budget as follows: From West end of City to the Wicomico River - \$4,923.05, between River and Underpass - \$1,766.05; from the Underpass to the Eastern end of City - \$5,321.10 - a total annual increase of \$11,816.50 in the lighting budget. He stated that if it is planned to have the lights by the time the highway is completed the Eastern Shore Public Service Company must have four or five months notice to do engineering and purchase fixtures in order to actually get underway on the installation. He stated that there would not be very much increase in this year's budget, but next year's budget will be increased by \$11,816.50 for street lighting. He stated that the plan has been reviewed on three different occasions and that all are substantially in agreement as to illuminating intersections and the adequacy of the lights and that they had attempted to eliminate any duplication of existing lighting. Mr. Storuss advised that if and when the City desires this lighting it will be done according to the plan now before the Council. The City Engineer requested the Council to authorize the execution of the Contract authorizing the Eastern Shore Public Service to proceed with lighting Route 50, as outlined on the plan he had presented, and also the contract for lighting on South Boulevard between Route 13 and South Division Street in the amount of \$387.90. After discussion the Council concurred in approval of the lighting plan for Route 50 and also for South Boulevard, as outlined, and authorized the Executive Secretary to execute the contracts authorizing the Eastern Shore Public Service Co., to proceed, on motion by Councilman Long and seconded by Councilman Martin.

11. The City Engineer presented request for Council approval of salaries for personnel to fill existing vacancies in the Department of Public Works as follows:

Virgil Carter, laborer, Incinerator, Account No. 13,401(a) Gen., Salary \$51.00 per week effective April 26, 1961.

John Adams, Carpenter Helper, Account No. 19,301 Gen, salary \$58.00 per week effective May 1, 1958. (Mr. Cooper indicated this person did not report for work).

Leslie Hocker, Operator, Sewage Treatment Plant, Account No. 13,201(a) Sewer, Salary \$59.00 per week, effective April 26, 1961

Robert E. Reed, Engineering Aide, Account No. 20,211(b) W.D., Salary \$60.00 per week effective April 26, 1961

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Larry Bornt, (temporary employee - 14 weeks) Engineering Aide, Account No. 12.101(g) Gen. effective June 5, 1961, salary \$55.00 per week.

Lewis Howard, Operator - Sewage Treatment Plant, Account No. 13.201(a) Sewer salary \$59.00 per week (Did not report for work)

Transfer Tom Faison, Laboratory Technician, Account No. 13.201(a) Sewer to Shop and Records Clerk, Account No. 20.213 W.D. - salary to remain at \$72.00 per week effective May 8, 1961.

Transfer J. Carey White, Asst. Foreman and Operator - Sewage Treatment Plant, Account No. 13.201(a) Sew. - salary \$62.00 per week to Asst. Foreman and Laboratory Technician - Sewage Treatment Plant, Account No. 13.201(a) Sew - Salary \$67.00 per week, effective May 8, 1961.

Richard Doscher to be assigned the duty of meter repair in addition to Inventory Clerk.

The Council approved salaries and transfer of personnel, as requested, on a motion by Councilman Fullbrook and seconded by Councilman Laws.

12. The City Engineer presented a map showing storm drainage areas in the City and requested direction as to what to prepare for capital budget for 1962. He pointed out what had been done in the past four years and what the existing problem areas were in the City, and estimated that it would cost not less than \$50,000 per year for four years, to be done in four stages. He outlined the different stages and stated that the South Salisbury area appeared to be in greatest need and recommended that the first stage start at Salvation Army. He advised that he would get cost estimate and bring price plan up to date, and requested the Council to be thinking about storm drainage for capital budget for next year.

13. The City Engineer stated that two years ago when the area around the Park extension was developed there was an old road which dead ended, and that the City owns the land next to this area, which is not used for Park purposes, and that Mr. Phil Harrison is interested in acquiring 81 ft. of the land, where he plans to build a house; also that Mr. J. R. Pottle would like to acquire 40 ft. in order to build a porch on his house. Mr. Cooper stated that in the case of Mr. Harrison, the land he is interested in is a lot which was on the old road, which was closed, which he believed was a street that existed only on paper. The question was raised as to whether the County owns the road or is the land City property. Councilman Long inquired as to procedure for sale of City property. The City Solicitor stated that it was not necessary to advertise it for public sale, although it had been the policy of the City to do so. After further discussion the Council requested the City Engineer to get status of street as to ownership, etc. and report at next meeting, on a motion by Councilman Laws and seconded by Councilman Martin.

14. The Planning Director presented request of Roland Wainwright for approval of subdivision plat on Vine Street. He stated that it was a single lot subdivision with two existing dwellings and that Mr. Wainwright proposed to demolish the building in front and rebuild and that he would have to divide the single lot into two lots whereby there would be no frontage. He advised that the Planning Commission recommended that the subdivision plat not be approved.

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After discussion the Council concurred in accepting the recommendations of the Planning Commission that subdivision plat not be approved for the reason of no street frontage.

15. The Planning Director presented review of request of Mr. John Colvin for rezoning of property on South Division Street from residential to commercial. The City Solicitor stated that the reason action was deferred at the previous meeting of the Council was that Mr. Colvin had asked for the rezoning of one lot only and that he was not contending that a mistake had been made in the boundary, at the time it was established, and that no change had been made in the area, and there was some doubt as to legality, and that he believed also that it was deferred for reason of consideration being given if larger area were involved. Mr. Colvin stated that he would have preferred having the entire block rezoned Commercial, but that he had been advised that he had a better chance of getting one block rezoned than the entire block. Councilman Fullbrook stated that he felt that the boundary was in error originally. Councilman Long inquired as to the procedure in the event the Council agreed to rezoning the entire block. The City Solicitor explained that in the case of a change of boundary it would have to be advertised for 15 days after a date for public hearing had been set and notice would have to be posted in such places as designated by the Planning Director in the Zone to be changed. The Council requested that necessary steps be taken to start procedure for change in boundary from the existing Commercial Zone to Carrollton Avenue and S. Division Street, on a motion by Councilman Long and seconded by Councilman Fullbrook.

16. The Planning Director reviewed the Workable Program Application for Urban Renewal. Professor A. L. Fleming, Chairman of the Mayor's Citizens Advisory Committee, was present and stated that a study had been made by the Committee and that it was unanimously recommended that the Workable Program be adopted. Councilman Long stated that he understood that the City Council is solely responsible for the Urban Renewal Program and that he would like to have a copy of the Bill authorizing the City to participate in Urban Renewal recently passed by the Legislature, and that he felt the other Council members should have a copy of the Bill. Mr. Gilman explained that he had shown his name on the application as person preparing the Workable Program. The Planning Director presented Resolution by the Planning Commission regarding the Plan for the Revitalization of the Central Business District, and stated that the Planning Commission would adopt the Resolution at the next meeting. The City Solicitor advised that the Workable Plan, as reviewed by the Planning Director, does not commit to special plan, and if the Mayor and Council felt so disposed, he would ask that the Workable Plan be approved. After discussion the Council adopted the Workable Plan on Urban Renewal on motion by Councilman Laws and seconded by Councilman Martin.

17. Ordinance No. 817 AN ORDINANCE of The Council of The City of Salisbury defining certain offenses and violations regarding motor vehicle and traffic with respect to City streets, alleys and public ways not forming part of the State Roads System, establishing fines and penalties upon conviction of such offenses and violations, and providing for the disposition of such fines, penalties and forfeitures; and amending Code Sections 11-4, 11-19 and 11-20 in conformity therewith, was adopted on second and final reading on a motion by Councilman Laws and seconded by Councilman Fullbrook.

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18. Ordinance No. 818 AN ORDINANCE of The Council of The City of Salisbury amending Section 5-4 of the Salisbury City Code, 1959, relating to the fee for a building demolition permit in order to reduce said fee from Five Dollars to Four Dollars in conformity with Ordinance No. 787 (Building Code Ordinance) approved June 8, 1959, was adopted on second and final reading on a motion by Councilman Laws and seconded by Councilman Martin.

19. The City Solicitor advised that in the matter of Ordinance No. 819 relating to the proposed regulations on pinball machines, he had not received a reply from the Attorney General regarding his request for an opinion as to legality, and asked that action on Ordinance No. 819 be deferred until possibly the next meeting, by which time he should have a reply from the Attorney General.

20. In connection with Ordinance No. 819 the following were present: Messrs. Ed. Gottwald, Richard Parsons, Bill Whitelock and Hillman, and they requested that the Ordinance be read. The City Solicitor reviewed the Ordinance for those present and asked each for their views. Mr. Gottwald stated that he agreed in principle on regulation of the machines, but felt the \$100.00 license fee too high, that it was against free enterprise, and if passed that many machines would be taken out of Salisbury. The City Solicitor asked Mr. Parsons how many machines there were in Salisbury. He stated that he would guess there were about 50 and if the licensing went into effect that 75% of them would have to be taken out, as they would not be able to pay the license fee. Mr. Whitelock stated that he did not feel that the machines should be licensed by the City that he felt it was unconstitutional. Mr. Hillman stated that if the machines needed to be policed he agreed that the best way to do it was by licensing, but the license fee should not be more than necessary to finance the policing, and he did not feel it should cost \$100.00. The City Solicitor explained that the \$100.00 figure was set as something of a compromise as the \$250.00 originally set was felt to be too high by some of the Council. After further discussion the President of the Council advised that there would be no final action taken on the matter at this meeting.

21. Ordinance No. 820 AN ORDINANCE of The Council of The City of Salisbury authorizing A. W. Perdue and Son to use the lot or parcel of land situate and lying on the East side of Lake Street and the West side of the North Prong of the Wicomico River known as the Baugh Chemical property for the unloading, storage and reloading into trucks of grains delivered to said premises by water; and to make the necessary construction of new facilities or extension or alteration of improvements existing on said premises necessary for such uses, was adopted on second and final reading on a motion by Councilman Fullbrook and seconded by Councilman Laws.

22. In connection with Ordinance No. 820, the City Solicitor advised that a provision in the Building Code required appeal before the Board of Adjustment and Appeal. He stated that the Executive Secretary had advised him that in Rockville the Council acted as the Board of Adjustment and Appeal, as there were so few cases, and that it was the joint recommendation of Mr. Perkins and himself that the Council act as the Board of Adjustment and Appeal. The Council concurred in accepting the recommendation.

23. The City Solicitor presented matter of possible amendment effecting tax exemption for Parking District No. 1 and asked Council concurrence on introduction of Ordinance No. 821

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for first reading. After discussion the Council concurred in passing Ordinance No. 821 for first reading on a motion by Councilman Fullbrook and seconded by Councilman Martin.

24. The City Solicitor presented matter of trailers for advertising and display purposes. He outlined possible regulations as to City's policy to prohibit or permit and regulate use of trailers for such purposes. After discussion the Council concurred in accepting the proposed regulations for permitting use of trailers for advertising and display purposes, as outlined, and the City Solicitor advised that he would prepare an ordinance for first reading for next meeting.

25. The City Engineer stated that his office had been advised, and there had been verification by the Building Inspector, that there was one person in the City and one outside the City, who were operating their own private water systems, and asked what action the Council desired to be taken in the matter. After discussion the Council concurred in notifying Mr. Roger Steffens to immediately discontinue the private system by removing the well, and in the case of Mr. Edgar Porter, who is outside the City, but served with City water, to advise him that the City's policy is not to serve water where there are private systems and to cut the water off.

26. The President of the Council announced that there would be a special meeting on Monday, May 15, 1961, at 8:00 P.M.

27. The meeting adjourned at 11:35 P.M. on a motion by Councilman Laws and seconded by Councilman Martin.

May 15, 1961

Date

ME Martin

President of The Council

Josephine M. Lumblyfield
Clerk

The Council of The City of Salisbury met in special session at the City Hall at 8:00 P.M., Monday, May 15, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr.

1. The Executive Secretary reported that bids were received on May 9, 1961 on Contract 2-61-W, Storm Water Drain Construction, as follows:

George Wilkinson, Salisbury, Md. - \$4,857.55

A. P. Isakson, Inc., Salisbury, Md. - \$5,842.22

Mr. Perkins stated that the bids had been reviewed by the Dept. of Public works and it was recommended that award of the Contract be made to the low bidder. The Council concurred in awarding Contract 2-61-W to the low bidder, George Wilkinson, in the amount of \$4,857.55 on a motion by Councilman Martin and seconded by Councilman Laws.

2. The Executive Secretary reported that two bids were received this date on the demolition of the Abbott Building as follows:

Earl W. Hastings, Salisbury, Md. - \$4,750.00

Charles L. Lewis, Salisbury, Md. - \$6,900.00

Mr. Perkins recommended that the low bid of Earl W. Hastings be accepted. The Council concurred in awarding contract for demolition of the Abbott Building in the amount of \$4,750.00 on a motion by Councilman Fullbrook and seconded by Councilman Martin.

3. The Executive Secretary requested Council concurrence in changing High Street, from North Division to Bush Street, from one-way to two-way; to remove the eight parking meters in the area; to prohibit parking on the street in the area, and to prohibit left-hand turn into High Street from North Division Street. He stated that this was necessary for better access to and from the new parking lot located next door to the Library, and also would be necessary for the Police Dept. when they occupy the present Library Building. He stated that he had reviewed the matter with the Department of Public Works and the Police Department and they concurred in this change. After discussion the Council concurred in making High Street two-way from N. Division to Bush Street, to prohibit parking, and to prohibit left turns into High Street From North Division, as requested by the Executive Secretary, on a motion by Councilman Martin and seconded by Councilman Laws.

4. Councilman Martin reported that Mr. John Colvin had contacted him regarding his request for rezoning of property on S. Division Street, and that he advised that although he desires the entire block to be rezoned Commercial, the procedure for the rezoning the entire block will require such a length of time that will cause him to lose the sale of the property on which it is proposed to erect a building. He stated that the building is to be occupied by a soft icecream concern and to delay until the entire block could be rezoned would be too late in the season for his prospective buyer. Councilman Martin stated that he felt it was unfair to Mr. Colvin to cause him to lose sale of his property, since this matter has been pending so long, and suggested that the recommendation of the Planning Commission to rezone the one block be accepted, which would enable Mr. Colvin to proceed with sale of his property and erect building. Councilman Fullbrook suggested that instead of rezoning the entire block Commercial that the lots facing on South Division Street be made Commercial and stop there. The Planning Director suggested that the one lot, as originally requested, be changed to Commercial and if Mr. Colvin wants

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anything further that he come back and make request. Councilman Long stated that he would not be in favor of rezoning the one lot unless the remainder of the block were rezoned. After further discussion the Council indicated that it was their feeling that a mistake was made in zoning the area Residential when the boundary was established. Councilman Long introduced a motion that Mr. Colvin's request to rezone the one lot be granted providing that he make application for the remainder of the block to be rezoned Commercial, using the alley as a buffer. The motion was seconded by Councilman Martin and unanimously passed by the Council.

5. Mr. Gilman, Planning Director, distributed copies of map showing Stage One of the proposed Central Business District Revitalization Plan. He stated that the prepared general plan had been presented to the Planning Commission, then to the Mayor and Council and the County Commissioners, and also released to newspapers; and that the Planning Commission had held a series of meetings reviewing the plan at the Civic Center to which the Mayor and Council had been invited. He advised that each property owner that would be adversely affected by the plan was written a personal letter and invited to meet with the Planning Commission, and following that, two public hearings were held which were advertised in November. He stated that the Planning Commission had tentatively adopted the plan subject to approval of the Council. Mr. Gilman explained that the plan as presented was to be accomplished in four stages, each stage a working stage which would work by itself and not dependent upon the others. He reviewed Stage One of the Plan, the first stage of a five year program. He outlined the basic objectives of the Plan for Stage One - the three primary reasons being a retail shopping center, a business and professional service area, and a governmental center. He outlined a plan for one-way traffic through the downtown area, the streets, which he claimed were narrow and congested. He stated that he realized that there would have to be some modifications in his suggested traffic plan, but that it could be tried on a six week or three month experimental basis.

Councilman Fullbrook raised the question of whether the plan for the downtown section was to encourage new business to come in or if it was necessary to support business there now.

Mr. Gilman explained that it was necessary for existing business and also for new business, and to increase volume. He advised that retail sales space is not lacking, but parking is.

Councilman Martin inquired as to manner businesses could expand to handle increased volume in the Central Business District.

Mr. Gilman advised that the existing businesses could easily revamp by building upward or to either side.

Councilman Fullbrook stated that it was his understanding that the plan was for the purpose of bringing in new business so that new businesses would not be scattered outside of town.

Mr. Gilman explained that the Plan is designed primarily to save existing business, and that the streets are blended to parking areas and not to the stores. He stated that should a big shopping center locate on the Boulevard there is not sufficient business in Salisbury to support downtown and a shopping center. He stated that the downtown area is not in competition with the Boulevard, that they deserve equal treatment, as the Boulevard has factors that downtown does not have and downtown has factors that are not found on the Boulevard. He stated

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that all food stores should be located on the Boulevard for easy access, and specialty shops and service offices belong downtown, and that the Plan set up the role the downtown area should take. He stated that Salisbury has the best highway access he had seen anywhere.

Mr. Gilman suggested parking acquisition be made in five blocks basically the remainder of the block of Camden Street from Division to Market Street and the parking area on S. Division Street where Greenie's Parking Lot is located.

He presented a suggested Capital Improvement Program in relation to the Plan and advised that the first stage on the plan was a \$2,000,000. program, which had been designed to be done by the City before any thought was given to an Urban Renewal Program and if the plan is done under Urban Renewal the figure would change. He stated that the Mayor's Citizen's Advisory Committee was now making a study of the plan for Urban Renewal participation and would soon submit recommendations.

6. Councilman Long stated that he had been approached by one of the County Commissioners regarding a boat ramp at Alabama Avenue, and that the County is willing to do everything possible toward construction of boat ramp in cooperation with the City. He requested that the City Engineer be appointed to meet with Mr. Jones, County Roads Engineer, to see what can be done about the matter. The Executive Secretary advised that the Mayor had requested that he and the Planning Director study the matter and that they have been working on the matter. The City Engineer stated that he would like to think in terms of Pennsylvania Avenue rather than Alabama Avenue.

7. The City Engineer presented the matter of property at Lakeside Drive, Johnson Pond, owned by Mr. Shortall. He outlined the area on a map, showing the area owned by the City and the fenced in area owned by Mr. Shortall, which he recently purchased and monumented. He stated that the City can't get to City property to even do mowing, and that in Discussion with Mr. Shortall he learned that Mr. Shortall is agreeable to discussing the matter of leasing 50 ft. of the property on the side of the fence, which would be sufficient to park one line of vehicles. He requested authority to negotiate for lease, if possible, and in the event this cannot be negotiated, that the City take a bulldozer there and push a hill to make a place to operate and using fill dirt from Doverdale Playground, and develop swimming frontage. He stated that Mr. Shortall also suggested a street light be erected there, and a fountain and few park benches be placed in the area. The Council agreed that there was need for a street light in the area. After discussion the Council concurred in having an appraisal made on 50 ft. of the property and authorized that an offer be made accordingly in an effort to acquire the property, and to report to the Council at the next meeting.

8. The meeting adjourned at 10:10 P.M. on a motion by Councilman Long and seconded by Councilman Fullbrook.

May 22, 1961
Date

W. M. Smith
President of The Council

Josephine M. Frankel
Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, May 22, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of May 15, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.
3. The Executive Secretary reported that the Treasurer was attending a Finance Officers' Convention in Seattle, Washington.
4. The Executive Secretary presented request for Council approval, from Mr. Lorne Rickert of the Recreation Commission, to purchase 3 ten foot sections of steel bleachers for the Pinehurst School Playground. He stated that these portable bleachers could be moved from one recreational area to another when needed and would cost approximately \$900.00. After discussion the Council concurred in approval of purchase of the portable bleachers, as requested, on a motion by Councilman Martin and seconded by Councilman Long.
5. Mrs. Kenneth Miller appeared before the Council in the matter of the City's contribution to the Shore Animal Shelter. The Executive Secretary stated that he had discussed the matter with Mayor McLernon that that he had indicated his willingness to accept the recommendations of the Executive Secretary as set forth in his report of the study he had made, a copy of which was furnished to all Council Members. After discussion the Council concurred in accepting the recommendations of the Executive Secretary regarding the City facilities for the Shore Animal Shelter, as set forth in his report of May 19, 1961, on a motion by Councilman Long and seconded by Councilman Martin. (See copy of report attached to minutes).
6. The Executive Secretary presented request from Hannaman - Burroughs Co. for tax exemption in Parking District No. 1, the reason being that their heavy construction equipment is housed outside of the District and not at their office. The City Solicitor explained the law applying to this particular request - that the City shall have the power to receive taxes on real and tangible property situated in the District, and that Mr. Burroughs has taken the position that the property is actually not in the District and that it has to be physically in the District to be taxable, as set forth in the Statute. After discussion the Council concurred in granting the exemption, as requested, on a motion by Councilman Fullbrook and seconded by Councilman Long.
7. The Executive Secretary reported that through an oversight Fireman Irvin Hopkins had not received the automatic increase in salary due him through the automatic pay schedule - the amount being \$2.00 per week for a period of one year, or a total of \$104.00. After discussion the Council authorized that the \$2.00 increase per week due Irvin Hopkins for the period of 52 weeks be paid retroactively in the sum of \$104.00 on a motion by Councilman Long and seconded by Councilman Martin.
8. The Executive Secretary reported that when Fred Williams was promoted to Assistant Chief in the Fire Dept. that he had placed the promotion in the first bracket of the automatic pay schedule applying to this position, but that the Treasurer did not agree since Mr. Williams had five years service in the Dept. he felt he should have been placed in the second bracket for this position (over four years) which would increase his salary by \$2.50 more per week. After much discussion the Council agreed that Fred Williams should be given credit for over four years service and that the salary of \$72.50 for Assistant Chief with over four years service be applied, on a motion by Councilman Long and seconded by Councilman Martin.

Minutes of Meeting of May 22, 1961

9. The Executive Secretary presented request from the Department of Public Works for Council approval of salaries for the following personnel, effective May 22, 1961:

Roy L. Martin, Carpenter Helper, Account No. 19,301 Gen., Salary \$58.00 per week.

Howard V. Disharoon, Jr., Laborer, Water Division, Account No. 20,213 W.D.

Salary \$52.00 per week.

Harry S. Dearstyne, Jr., Operator - Sewage Treatment Plant, Account No. 13,201(a) Sewer

Salary \$59.00 per week.

The Executive Secretary stated that the Council had recently approved salaries for two of the positions, but the people for whom salaries were approved never reported for work. The Council approved salaries, as requested, on a motion by Councilman Martina and seconded by Councilman Long.

10. The Executive Secretary presented request from St. John's Methodist Church, Fruitland, Md. for permission to hold a chicken barbecue on Picnic Island, for which tickets were to be sold for the benefit of their building fund, and the affair to be publicly advertised, at a date to be decided upon later. After discussion the Council resolved to adhere to their policy of the past which permits such affairs to be held in the Camporee Area of the Municipal Park and that no advertising be permitted, and requested that the Church be notified accordingly.

11. The Executive Secretary advised that 111 weed cutting notices had been sent out to property owners and that many of the property owners had requested that the City cut the weeds and bill them. He recommended that in order to pay the contractor for cutting the weeds that Account No. 21,902 (e) General be designated as the account from which the contractor's bills would be paid from and that collections from the property owners be credited to this account. The Council agreed that this procedure be followed.

12. The Executive Secretary reported that Mr. Richardson, Plumbing Inspector, is still in the hospital and that it is not known when he will be able to return to duty; and that the Building Inspector is in need of some assistance. He recommended that a man be hired who could do all of the necessary inspections rather than hire a plumbing inspector. The City Solicitor explained that the Plumbing Code requires that an inspector of plumbing shall be a Master Plumber with at least five years experience. The Executive Secretary recommended that the Ordinance be amended by deleting such requirements, and that a man to do all types of inspections be hired temporarily until Mr. Richardson returns. After discussion the Council concurred in hiring a temporary employee to assist the Building Inspector in his duties, but not to amend the Ordinance, on a motion by Councilman Long and seconded by Councilman Fullbrook.

13. The City Solicitor stated that he noted that there were persons present who were interested in Ordinance No. 819 relating to pinball machines, and since there was not a full Council present at this time that the matter be deferred for a later meeting. He stated that he had received an opinion of the Attorney General regarding the matter and read a letter dated May 12, 1961 from the State Law Dept.

14. The City Engineer presented the matter of sale of City land to Mr. Phil Harrison. He stated that Memorial Drive is not a County owned road, is recorded as a public highway - the street bed having never been opened beyond Shady Lane; and that he had an appraisal made of the land by Mr. Victor Stevens, who appraised the total of about 4000 sq. ft., about one-half of a building lot, to be worth \$400.00. He stated that he had advised Mr. Harrison of the appraised value and

Minutes of Meeting of May 22, 1961

that he had stated that he had a figure in mind of about \$200.00, but would go to \$250.00. Mr. Harrison was present and stated that he felt the \$400.00 appraisal was too high and had in mind the figures as quoted by the City Engineer. The Council inquired as to legal authority to sell the land without advertising. The City Solicitor advised that the City has the authority, under provisions of the Charter, but that there has been a policy of advertising for bids for sale of City owned property. After discussion the Council concurred in selling the parcel of land adjacent to Mr. Harrison's property on North Park Drive Extended for the sum of \$300.00, on a motion by Councilman Fullbrook and seconded by Councilman Laws.

15. The City Engineer stated that in the matter of the request of Mr. John Pottle to purchase a parcel of land adjacent to his property, the land had been appraised by Mr. Victor Stevens at \$50.00. After discussion the Council concurred in selling the land to Mr. Pottle for \$37.50, on a motion by Councilman Fullbrook and seconded by Councilman Martin.

16. The City Engineer presented a sketch of the Shortall property on Lakeside Drive and stated that the appraisal for the entire property, which was all of the land other than the home place, was made by Mr. Victor Stevens, valued at \$4,000. He stated that the land area was equivalent to two building lots, but only frontage for one lot, and if the City took 45 ft. on Lakeside Drive there would be only a 25 ft. frontage left for remaining property and the damage suffered by the owners would be \$2500. He stated that he had revised the request for acquisition in order to leave a suitable frontage for building, which would be worth \$2400, and that the area which the City would take would be worth \$1600. He stated that he and the Executive Secretary had discussed the matter with the Shortalls and had suggested that if they were willing to give a low price for lease the City might be justified in leasing the land, but if his price were too high there was little choice, but to acquire the land. He stated that he and the Executive Secretary had in mind a figure of \$30.00 per year, but that Mr. Shortall wanted \$300.00 per year, and that they had made him an offer of \$100.00 which was not acceptable to Mr. Shortall. He outlined the area which Mr. Shortall would lease for a three year period, and stated that Mr. Shortall had advised that they would consider an offer for the sale of the property, but they did not want to sell the property. He stated that the property is now chained off and the City has no access. After discussion the Council concurred in an offer of \$1600. being made for the cross hatched section on the sketch of the property, and if the offer were rejected that the City Solicitor proceed with condemnation of the property for acquisition, on a motion by Councilman Martin and seconded by Councilman Laws.

17. The City Engineer reported that since Mrs. Hopkins had indicated that the appraised value of \$15,000 for her Maryland Avenue property, as made by Mr. Alf. Truitt, was not sufficient, he had another appraisal made by Mr. Victor Stevens who appraised the property at \$12,800, and felt that the damage caused by moving would be worth \$2,500. He stated that he had written to Mrs. Hopkins making a firm offer of \$15,000., subject to Council approval, and had asked whether or not she would accept. He stated that he would report on Mrs. Hopkins' reply at the next meeting.

18. Ordinance No. 821 relating to proposed amendment of the Zoning Ordinance, amending off-street parking requirement in Parking District No. 1 was discussed. Mr. Gilman, Planning Director advised that the Planning Commission felt that the two parking spaces for used car sales lots were not adequate and recommended that "Used Car Sales" be stricken from the Ordinance. Mr. Laws, City Solicitor, requested the Council to approve advertisement of notice of public hearing to be held on June 12, 1961, regarding the proposed amendment, and to be thinking about whether or

Minutes of Meeting of May 22, 1961

not to exclude "Used Car Sales" from the Ordinance. After further discussion the Council concurred in approval of advertising notice of public hearing, as requested, on a motion by Councilman Long and seconded by Councilman Martin.

19. Ordinance No. 822 AN ORDINANCE of The City of Salisbury repealing Section 13-31 of the Salisbury City Code, 1959, entitled "Trailers -- Use as Place of Habitation," and enacting in lieu thereof three new sections to be designated Sections 13-42, 13-43 and 13-44, prescribing the conditions under which trailers, commonly known as house trailers, may be used within the corporate limits of the City of Salisbury, requiring permits for certain uses thereof for occasional or temporary sales promotion, office or advertising purposes, and prescribing the terms and conditions of such permits, and providing fines and penalties for violations, was introduced and duly passed for first reading on a motion by Councilman Fullbrook and seconded by Councilman Long.

20. Ordinance No. 823 AN ORDINANCE of The City of Salisbury repealing and re-enacting Sections 111.1 and 111.2 of the Building Code of the City of Salisbury, Maryland (Ordinance No. 787, approved June 8, 1959) so as to provide that the Council of the City of Salisbury shall itself act as a "Board of Adjustments and Appeals, for the City of Salisbury with respect to said Building Code, was introduced and duly passed for first reading on a motion by Councilman Laws and seconded by Councilman Martin.

Mr. Laws, City Solicitor, advised that after complaints being received by the Police Dept. concerning Market Street Merchants, who were left out of the Main Street Mall sales promotion, had placed their wares on the sidewalk, he and Chief Chatham were unable to find any law in the City Code governing such practices, and that he had prepared Ordinance No. 824 requiring special permits for the commercial use of sidewalks and streets for introduction.

The Executive Secretary inquired as to whether or not the matter could not be controlled under the Building Code. The Building Inspector referred to a section in the Building Code controlling use of sidewalks and streets for commercial use.

Councilman Martin inquired as to who would enforce the law when people place things on the sidewalk. The City Solicitor explained that enforcement is up to the Police Department if it is a misdemeanor. The Executive Secretary advised that it is not the responsibility of the Police Department, that under the Building Code it is the responsibility of the Building Inspector to enforce such cases and that it was his recommendation to leave the law as it was to let the Building Code take care of the matter and that there was no need for passage of Ordinance No. 824. The Council concurred in accepting the recommendations of the Executive Secretary.

21. RESOLUTION NO. 7, A RESOLUTION of The City of Salisbury amending and supplementing the Section 138 of the Charter of the City of Salisbury (being Section 420 of the Code of Public Local Laws of Wicomico County, 1959 Edition) relating to construction of private water, sewerage and drainage systems, in order to extend the provisions of said Section to areas outside the corporate limits which are supplied by the City of Salisbury with water or sewerage systems, was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Martin.

In connection with Resolution No. 7 the City Solicitor advised that he wanted the Council to understand that the City may be liable for damages suffered, if it was decided to proceed with cutting off the water supply serving Mr. Edgar Porter. He stated that the City is subject to jurisdiction of the Public Service Commission under General Law relating to public utilities, that the City has to serve water and can't stop serving without good reason. After discussion the Council suggested

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that the City Solicitor and the Executive Secretary discuss the matter with Mr. Porter and explain that allowing him to have a private water system while being served by the City is going to make it very difficult for everyone, and to report on their meeting with Mr. Porter at a later meeting of the Council.

22. Councilman Martin reported that he had received a complaint from a resident of Charles Street due to the street being dark and claimed that she had been advised by the Eastern Shore Public Service that the lights had been reduced by order of the City. He requested that the matter be investigated and the lights be restored to their original power.

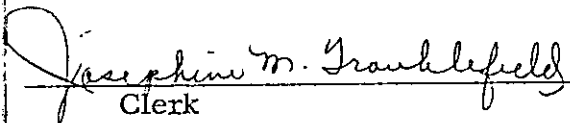
23. The regular meeting adjourned at 10:20 P.M. on a motion by Councilman Laws and seconded by Councilman Martin.

May 26, 1961

Date



President of The Council



Clerk

EXECUTIVE SESSION

Immediately following adjournment of the regular meeting of the Council of The City of Salisbury on May 22, 1961, the Council convened in an Executive Session with all Council Members present.

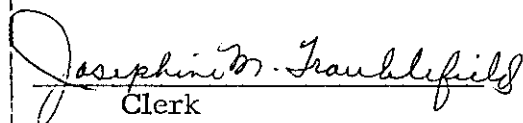
1. The City Engineer stated that some months past the Council directed that a study be made concerning sludge beds at the Sewage Treatment Plant and Gardner and Sterling had been employed to make the study. He stated that the engineer who had made the study for Gardner and Sterling had been let out of their employment due to their losing the Pocomoke Account, and that the report which had been made by this man and turned over to Gardner and Sterling relates not only to sludge beds, but to the entire operation of the plant. He outlined certain deficiencies experienced at the Sewage Treatment Plant and requested that since this man, Mr. Carl Wright, who is a Sanitary Engineer with a substantial background, is available and has done such an exhaustive study of conditions at the Sewage Treatment Plant that he be employed by the City at \$600.00 per month on a consultant basis, month to month, in order to develop plans and get an accurate picture of the capacity. He stated that he was not sure that the City would receive the report from Gardner and Sterling as it had been turned in by Mr. Wright, as in some instances he was critical of the design, however, he had a copy of Mr. Wright's report. Councilman Fullbrook suggested that the Dorr-Oliver Company be consulted regarding the deficiencies at the Sewage Treatment Plant. After discussion the Council concurred in waiting for the report from Gardner and Sterling, after which the matter be taken up with Dorr-Oliver, and that Mr. Wright not be employed.
2. The Executive Secretary reported that the awnings on the City Hall Building had suffered damage due to storms and the weather and were badly in need of being replaced, which would cost approximately \$650.00. After discussion the Council requested that the matter be deferred for discussion with Mayor McLernon.

The meeting adjourned at 11:-- P.M. on motion by Councilman Laws and seconded by Councilman Martin.

May 26, 1961
Date



President of The Council


Clerk

The Council of The City of Salisbury met in special session at the City Hall at 8:00 P.M. Monday, June 5, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr. Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Body E. McLernon.

Mr. Gilman, Planning Director, presented Stage 2 of the Central Business District Revitalization Plan. He stated that the basic change from Stage 1 of the Plan was the setting up of one-way street system and the only physical change involved was the removal of Camden Street Bridge. He stated that in Stage 2 it was recommended that the remainder of lands, which had not been acquired in the area along South Division Street, be acquired for temporary surface parking. At this stage, he stated, that it was recommended that Market Street be realigned to tie in with Circle Avenue to give street access to new bridge. He explained from the map of Stage Two the suggested closings of streets and pedestrian circulation pattern. He stated that the prime difference between Stage One and Stage Two is that West of Division Street would be put into a mall and that it was recommended to go up in the air with parking by this time.

Mr. Gilman distributed maps of Stage Three of the Plan and explained that it was recommended that East Main Street from Division to Baptist Street be closed and the entire area made into one single unit with clock-wise traffic. He stated that also in Stage Three it was recommended the removal of the old South Division Street Bridge to be replaced with bridge just East of Baptist Street. He stated that it was recommended to make a parkway along the South side of the river and Market Street; Circle Avenue be made one-way West bound and Carroll Street from Bridge to Boulevard to be one-way East bound. He stated this would give counter-clockwise free flowing movement and high speed access to the Boulevard. He stated that in the Third Stage it was felt that the entire area should be landscaped. He also stated that additional parking in Stage Three it was felt that the block behind the Wicomico Hotel should go up in the air for multi-level parking.

Mr. Gilman stated that time-wise each stage of the Plan was envisioned as a five year period, or 15 years for the three stages - long term objectives, and that it should be viewed in those terms, but whatever is done it should be taken into consideration that anything done will be in harmony.

Mr. Gilman stated that he had checked the assessments of everything involved in the Central Business District and found that a total of 13% tax base of the entire downtown, including the Gunby Property, would be lost. He presented a breakdown of assessment figures as follows:

Retail Sales	\$ 4,595,634.
Waterfront	312,401.
Subject to Change After Third Stage	153,691.
Telephone Building (land only)	18,933.
Left in Private Ownership	<u>5,080,659.</u>
Returned to private ownership for Office Use	168,500.
	<u>5,249,159.</u>
Removed For Parking	494,122.
Removed For Plaza	<u>269,921.</u>
	754,053.

Minutes of Special Meeting - June 5, 1961

Percentage of Assessable Base Lost including
present acquisition of Gunby Property

754,043.

Original Base

5,834,702.

13%

Mayor McLernon stated that he was trying visualize service access to retailers in the retail districts.

Mr. Gilman stated that under Stage Three, in terms of service, taking the West end buildings between Church and W. Main Streets they could be served from rear of Church Street and that in the block of City Hall - would be served from the mall; and also in the mall would be fire, police and emergency access.

Mr. Gilman explained that when the Plan was prepared it was done on the community's ability to do it without any assistance to be done is the three stages at five year increments; the first stage at \$2,000,000. in the form of a bond issue to be carried through revenues from parking and the deficit to be made up by a special assessment, which had been estimated to be about .42¢ per \$100. He stated that since that time the City had been empowered to seek Urban Renewal or Federal Aid assistance and the application for Urban Renewal Program had been submitted, and that he sincerely believed that this program should be done through Urban Renewal. He explained the advantages of doing the project under Urban Renewal and advised that if the Plan is undertaken under Urban Renewal the figures arrived at for the Plan to be done by the City without Federal Aid meant nothing.

After considerable discussion Mayor McLernon requested the Council to give careful consideration to adoption of Resolution concurring in the adoption of the Central Business District Revitalization Plan at the next regular meeting.

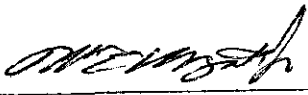
Councilman Long stated that we would like to give everyone affected by the Plan an opportunity to express their views before final action was taken on the Plan.

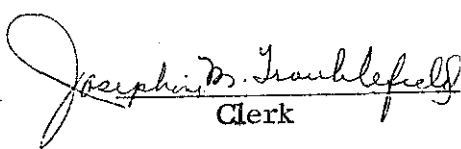
Councilman Fullbrook stated that he would like to have everyone in the area notified that the plan is ready for adoption and give them an opportunity to attend a public hearing to express their views before adoption of the Plan by the Council.

After further discussion the Council concurred in scheduling a public hearing to be held at the Civic Center at 8:00 P.M. on Monday, June 19, 1961, and directed the City Clerk to advertise notice of public hearing accordingly.

The special meeting adjourned at 10:00 P.M.

May 26, 1961
Date


President of The Council


Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, June 26, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meetings of May 22 and June 5, 1961 was dispensed with on a motion by Councilman Laws and seconded by Councilman Long.
3. Mr. Kim Andrews of Andrews Nursery appeared before the Council and advised that as a result of placing tubbed flowers on the sidewalk at the time of the Spring Carnival a survey had been made which indicated that 58 persons were interested in placing flowers on the sidewalk on Main Street. He stated that he had first proposed to sell the tubs of flowers outright, but had decided it better to rent them and maintain them, which would include trimming and watering and in the fall to take the annuals out and replace with vines for the winter and replace in the spring with annuals. He stated that it was his understanding that a City Ordinance prohibited the placing of tubbed flowers on the sidewalks and that he was appearing before the Council in the interest of the merchants to request that he be permitted to rent the tubbed flowers as outlined.

Mr. Victor Laws, City Solicitor, explained that the person using City property should furnish insurance to cover all liability. He stated that the City would be liable if they permitted obstruction and did not take steps to protect the public, and also that he believed the insurance company would have valid cause to cancel coverage or deny claim if the City permitted obstruction by private encroachment. He stated that if the Council is willing to permit the placing of the flowers on the sidewalk that it would be his recommendation of making a choice between enforcing the Building Code, or if this request is granted that it should be permitted only under special permits issued through the Mayor's Office and that insurance be afforded by the people putting out the obstruction. He also stated that even tho' this is done by special permit there should be some standards set up or soon there would be the problem of competition as to who will have the larger display and that without some guide it would be impossible to police. Mr. Andrews stated that his firm was covered with liability insurance and he would assume that the merchants were also covered with liability insurance. He also stated that it was his impression that the merchants were going to apply individually, but that he thought that perhaps he could obtain permission for the entire group of merchants, however, if the Council preferred separate permits he would have each merchant individually apply.

Mayor McLernon raised the question as to whether or not the Council, by resolution, could not grant a variance to the Building Code upon application of each business and issue a permit upon receipt of such application; the applicant being the insurer, and the City to establish a maximum size and even type for this sort of thing.

The City Solicitor advised that that is one possible procedure, but each application would have to come before the Council on its own merits before Council could make variance, and that he felt it would work better administratively by amending that procedure and setting up a standard as a guide.

After further discussion the President of the Council advised that the request would be taken under consideration and Mr. Andrews would be notified of the Council's decision later. Mayor McLernon

Minutes of the Meeting of June 26, 1961

requested Mr. Andrews to make himself available to meet with those working on this matter so that ordinance or resolution to be drafted will be satisfactory with everyone. Mr. Andrews agreed to meet with those drafting the resolution when contacted.

Later in the meeting the Council requested the City Solicitor to draft appropriate resolution and special permit for the placing of tubbed evergreens on the sidewalks providing necessary insurance protection.

4. Public hearing on Ordinance No. 821 was held at 8:15 P.M., as advertised. Mr. John Morris of Shore Distributors and Mr. Charles Hearne, Attorney, were present to discuss Ordinance No. 821. Mr. Hearne stated that he was appearing primarily for Shore Distributors and that he thought the exemption relating to wholesale sales, storage or used car sales, as provided in Ordinance No. 821 is a step in the right direction, however, he suggested an amendment to read "Employees as employed on the premises," and that the Ordinance should read for the first ten employees two car spaces provided per employee and over ten employees one car space per employee. He stated that the Shore Distributors has five branches and not all of the employees are in Salisbury and that the two parking spaces per employee, as stated in the Ordinance, does not fit; and that in the Zoning Code he noticed that in Industrial Areas two parking spaces per three employees were required. The City Solicitor stated that he thought Mr. Hearne made a valid point regarding the language of the Ordinance, and that it was meant to say two spaces for each employee regularly employed. The City Solicitor suggested that Mr. Gilman be asked to give some thought to the formula, as suggested by Mr. Hearne, and that final action be deferred on Ordinance No. 821 until the next regular meeting. The Council concurred in deferring action on Ordinance No. 821 until the next regular meeting and requested Mr. Gilman to study the formula as suggested by Mr. Hearne, on a motion by Councilman Long and seconded by Councilman Laws.

Mr. Hearne requested that he be advised before passage of Ordinance No. 821 is consummated.

5. Mr. Ernest Bennett and Mr. Edgar Nottingham appeared before the Council and requested permission to place a soft drink vending machine on the sidewalk in front of the Odd Fellows Building on East Main Street. Mr. Bennett stated that money from the vending machine is used for charitable purposes, and that though they would prefer having the machine located inside their building one of their tenants objects to the machine being located in the building and they can't afford to lose the tenant. He cited the fact that the ticket booth at the Community Players Theatre at this same location extends 30 in. out on the sidewalk and that the vending machine was only 24-3/4 in. deep and would not interfere with normal course of walking on the sidewalk.

The City Solicitor advised that this is a problem similar to Mr. Andrews' problem - the difference being this is for charitable purposes, and asked if the matter could be deferred until Mr. Andrews' request is considered. Mr. Nottingham advised that they have the vending machine on a month's trial and would have to know within a week whether or not they will be permitted to place it on the sidewalk.

Councilman Martin stated that there are several vending machines on the sidewalk on Main Street being used for personal gain entirely and if they are not meeting City requirements they should be cleared off.

Minutes of Meeting of June 26, 1961

After further discussion the President of the Council advised Mr. Bennett and Mr. Nottingham that their request will be given consideration and that they would be notified as to their decision later. In an Executive Session following adjournment of the regular meeting the Council requested that a survey be made of all vending machines placed on the City sidewalks and a report made at the next regular meeting.

6. Mr. Lester Chandler, Mr. Lloyd Chandler, and Mr. Edgar Harvey, Attorney, appeared before the Council in the matter of the pending condemnation proceedings for the property on Douglas Place and the case against the City for damage to their property. Mr. Chandler stated that they would drop the suit pending against the City and settle the condemnation suit for \$14,000 if the City will pay one-half the cost of extending water and sewer to his six properties on Douglas Place. Mr. Harvey stated that several years ago application for water and sewer to serve these properties was made by Mr. Chandler when permits for water and sewer cost much less than today and that these applications were "Pigeonholed" and applications never acted on, and that when Colonel McLendon left the City he cleaned out his desk including Mr. Chandler's applications and certified check. He stated that if the permits had been granted at that time they could have been done at a considerable savings. The City Engineer reviewed the cost of water and sewer to serve the properties and also the 50% cost of curb and gutter, and stated the cost of water and sewer for these properties to be paid by the City would amount to \$3,615.58. Mr. Lester Chandler stated that the Executive Secretary and the City Engineer are agreed that this is a reasonable solution to settle the matter and requested that, if the proposal is acceptable to the Council, that he receive one check for \$14,000 less the one-half of the cost of the services; and also that he will exchange a piece of land on Delaware Avenue for the City's placing curb and gutter on Delaware Avenue. The Council advised Mr. Chandler his request would be given consideration and he would be advised later.

In an Executive Session following the regular meeting the matter was discussed and the City Solicitor outlined the offer he had made to Mr. Chandler before going on vacation, which was \$14,000 and the consideration of \$870 or one-half of the charge for connection fees for the six houses. He stated that if the \$3,600 proposal which was felt might be equal to the expense of going to court was meant to cover only court cost and legal fees, or if the meaning is what the jury might award, then it was his feeling that the City should be willing to pay one-half the connection charge, and that he could see no justification for breaking the established policy by giving the rest. He stated that he would not let the pending suit against the City force this action as the case has not been argued the fact that they did not bring suit for three years that it would not rate as anything of settlement. After much discussion Councilman Long introduced a motion that the proposal as outlined by Mr. Chandler be accepted, which was duly seconded by Councilman Martin. Councilman Fullbrook stated that he felt that an offer should be made to Mr. Chandler to settle on the basis of taking \$1,000 off the original proposal. After discussion Councilman Long withdrew his motion. The Council concurred in offering Mr. Chandler \$1,000 less than his proposal on a motion by Councilman Fullbrook and seconded by Councilman Long.

7. Mr. John Shaheen appeared before the Council and requested permission to destroy carp, which he stated were plentiful in the River and Park, with bow and arrow. He gave a brief history of the carp and explained the method of using the bow and arrow. Chief Chatham stated that there is in effect a City Ordinance prohibiting this sort of thing and urged that it be continued in effect with no change. After discussion the Council concurred in denying Mr. Shaheen's request on a motion by Councilman Laws and seconded by Councilman Martin.

Minutes of The Meeting of June 26, 1961

8. The Executive Secretary presented the leases of Mr. Shortall for use of 50 ft. of his property at Johnson Lake, at no cost to the City, and the lease of Mrs. Maude Dryden on Riverside Drive property for use of boat ramp, a City-County effort. He requested that Mayor McLernon be authorized to execute the leases. The Council concurred in authorizing Mayor McLernon to execute the leases on a motion by Councilman Long and seconded by Councilman Laws.

9. The Executive Secretary presented agreement between the City and State Roads Commission to be executed by Mayor McLernon in the amount of \$14,981.35 for the grading for future sidewalks on Route 50. The Council authorized that the agreement be executed by Mayor McLernon on behalf of the City on a motion by Councilman Long and seconded by Councilman Martin.

10. The Executive Secretary presented request for a transfer of funds in the amount of \$21,383.16, which was closed out of the Parking District Bond Fund at the end of the Year 1960 and placed in unappropriated surplus. He advised that this amount is needed to carry on the development of the Gunby Property Parking Lot. After discussion the Council concurred in authorizing the transfer of \$21,383.16 from unappropriated surplus to Account No. 20,933(a) Parking District No. 1 Fund on a motion by Councilman Fullbrook and seconded by Councilman Long.

11. The Executive Secretary presented request for amendment to the Plumbing Code by deleting the last sentence of Section 102.2. Councilman Long raised the question of sending a man out to make an inspection who is not qualified. The City Engineer stated that there will be times when it will be necessary to engage the services of a plumber for inspections, but that he did not believe there are sufficient cases to justify hiring a plumber permanently as an inspector. After discussion the Council authorized that the Plumbing Code be amended by deleting the last sentence of Section 102.2, as requested, on a motion by Councilman Laws and seconded by Councilman Martin. Councilman Long voted in the negative.

12. The Executive Secretary presented request for Council approval of salaries for the following new personnel:

Carol Virginia Betts, Clerk Police Dept., Account No. 11.111 Gen, Salary \$42.50 per week, effective June 12, 1961.

William Levin Beasley, Patrolman, Police Dept., Account No. 11.111 Gen, Salary \$61.50 per week, effective June 13, 1961

Thomas Twigg, Assistant Building Inspector, Account No. 11.311(b) Gen., Salary \$4,250.00 Annually, effective June 19, 1961.

The Council approved salaries for above personnel as indicated on a motion by Councilman Long and seconded by Councilman Laws.

13. The Executive Secretary presented proposed change in purchasing procedure and requested that Ordinance No. 688, Section 6 be amended by increasing urgent need purchases to the limit of \$30.00 and that the sentence reading "and provided that the total of such purchases from any one vendor shall not exceed a total value of \$30.00 during one calendar month" be deleted. The Council concurred in authorizing the amendment to Ordinance No. 688, as requested, on a motion by Councilman Fullbrook and seconded by Councilman Martin.

14. The Executive Secretary advised that a survey indicated that there were 300 intersections in the City with obstructions, which under the Zoning Ordinance would be in violation on August 3, 1961, and since the City Solicitor doubted the legality of the Ordinance and had asked for a Court ruling, he would like to know what was to be done in the matter.

The City Solicitor advised that there is some question about the City's power to effect something which has been in existence before the adoption of the Ordinance, that there is no problem about new construction, the problem is with the ones which have been in existence for twenty years or more. He stated that he would look through the list of obstructions and select a suitable case for a test case to determine whether or not the City had the power to have the obstruction removed or cut down and would like Chief Chatham to sit in with him.

15. Mayor McLernon stated that three weeks ago the Central Business District Revitalization Plan was presented by the Planning Director for concurrence of the Council in approval of the Plan with the Planning Commission and at that time some of the Council stated they would like to have a further meeting with people involved. He stated that such a meeting was held on June 19, 1961 at the Civic Center and most of the property owners involved were present; and that as he had previously asked for Council approval of the Plan he was again asking the Council to approve the Plan. He asked if there were any further explanations desired before approval of the Plan.

Councilman Long stated that he would like to read a few notes which he had made to express his views in the matter as follows:

"After several public meetings I am willing to approve the general purpose and principles of the Planning Commission's Central Business District Revitalization Plan and proceed as rapidly as finances and other factors will permit provided, however, that - (1) Two districts rather than one are provided for the down town area - Parking District No. 1 being continued and a new one set up for the East Main Street Area; (2) rapid action is taken on the West End Parking District No. 1 - particularly some improvements to aid the Market Street Area; (3) slower action is taken on East Main Street where parking is less acute and where a moderate rate of assessment could be imposed to build up a fund for future parking expansion; (4) the Planning Commission, before final action is taken, to consider amending the Plan as follows:

- (a) Change Artcraft, Acme and the Shore Distributors Area to Retail classification so that they may remain in business in same locations.
- (b) Eliminate the malls which impair access to several business blocks.
- (c) Return the Central Hotel, Vernon Powell, Chantry House Block to Retail-Office classification so that the Government Plaza will be reduced and a large area can remain in private business."

In answer to discussion and questions regarding finance, use of property for private enterprise, etc., Mr. Gilman, the Planning Director, stated that the Planning Commission's role is to prepare the plan and can spend no money, when the Urban Renewal Program is initiated the Council is the only body to approve expenditure of money. He also stated that the Plan is a guide and can be changed as work progresses, and that there is no doubt that it will have to be amended as it is gotten into. Mayor McLernon explained that the Plan does not prohibit development of private enterprise, but does control public building.

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Councilman Fulbrook stated that it was his feeling that each City should have a plan and a goal to shoot for and that the plan as presented is a very far reaching plan and a good goal to shoot for.)

After discussion Councilman Fullbrook introduced a motion that the Council concur with the Planning Commission in the adoption of the Central Business District Revitalization Plan, with the assurance that the Council would use the best ability in putting the Plan in effect.) The motion was duly seconded by Councilman Martin and unanimously passed by the Council.)

16.) The Planning Director reviewed Subdivision Plat of Mr. Green at corner of Prince and Jackson Streets, on which request had been made to take one large lot and divide into four lots. He stated that this would meet all requirements for set-back for building purposes and advised that it was the recommendation of the Planning Commission that it be approved.) The Council concurred in accepting the Planning Commission's recommendation and concurred in approval of the subdivision, as presented, on a motion by Councilman Long and seconded by Councilman Laws.)

17.) The Planning Director reviewed a plat of the J. Roland Dashiell Property on Roland Street on which request had been made to divide into seven lots. He stated that tho^t he does not consider it a particularly good subdivision he saw no reason for denying the request, and that the Planning Commission recommended that the subdivision be approved.) The Council concurred in accepting recommendations of the Planning Commission and approved the Dashiell Subdivision, as requested, on a motion by Councilman Long and seconded by Councilman Laws.)

18.) The Planning Director¹ advised that he had prepared subdivision regulations for review, but in view of the large agenda for this meeting suggested that perhaps it would be better to defer the review for a later meeting or perhaps a special meeting.)

19.) The Planning Director advised that on July 17 the Industrial Park Developers will be in Salisbury and that they have some interest in annexation and suggested a meeting with the Mayor and Council.)

20.) The City Solicitor and the Treasurer reported that full settlement in the amount of \$4,033.19 had been received from the State Roads Commission for the right of way costs, etc., in connection with the West Church Street Relocation.)

21.) Ordinance No. 819 AN ORDINANCE OF THE COUNCIL OF THE CITY OF SALISBURY declaring that it is necessary for regulatory purposes in the interest of public health, safety and morals, and for the prevention of gambling and games of chance within the City of Salisbury that pinball machines and console machines (as defined in the Maryland Code Annotated) kept, maintained or operated for the purpose of public entertainment within the corporate limits of the City of Salisbury be licensed; providing that the maintenance, possession and operation thereof without such license shall be unlawful, and that permitting any such pinball or console machine to be used or operated by any person under the age of eighteen (18) years shall be unlawful; providing fines and penalties upon conviction of such offenses and violations; and providing for the disposition of such fines, penalties and forfeitures, was duly passed for second and final reading after being amended by reducing the license fee from \$100.00 to \$50.00, on a motion by Councilman Laws and seconded by Councilman Martin.)

22. Ordinance No. 822 AN ORDINANCE OF THE CITY OF SALISBURY repealing Section 13-31 of the Salisbury City Code, 1959, entitled "Trailers - Use as Place of Habitation," and enacting in lieu thereof three new sections to be designated Sections 13-42, 13-43 and 13-44, prescribing the conditions under which trailers, commonly known as house trailers, may be used within the corporate limits of the City of Salisbury, requiring permits for certain uses thereof for occasional or temporary sales promotion, office or advertising purposes, and prescribing the terms and conditions of such permits, and providing fines and penalties for violations, was duly passed for second and final reading on a motion by Councilman Long and seconded by Councilman Fullbrook.

23. Ordinance No. 823 AN ORDINANCE OF THE CITY OF SALISBURY repealing and re-enacting Sections 111.1 and 111.2 of the Building Code of The City of Salisbury, Maryland (Ordinance No. 787, approved June 8, 1959), so as to provide that the Council of the City of Salisbury shall itself act as a "Board of Adjustments and Appeals" for the City of Salisbury with respect to said Building Code, was duly passed for second and final reading on a motion by Councilman Martin and seconded by Councilman Laws.

24. Resolution No. 7 relating to private water and sewer systems - The City Solicitor requested that final action be deferred on this Resolution for the reason that the Maryland Municipal League had obtained a new State Law affecting Charter amendments and that he had not yet received a copy of the new law.

25. The City Solicitor distributed copies of a memorandum on the use of sidewalks and public property.

26. Mr. Charles Habliston, of the Lafrentz Auditing firm, was present and reviewed the report of audit for Year 1960 together with the auditors' recommendations. He explained the apparent deficit as reflected in the report of audit. He advised that there should be a good record of all City property which is necessary for the City's records of fixed assets. He stated that he understood that some of the recommendations were in the process of being adopted.

27. Mayor McLernon presented the following correspondence:

A letter from Mr. Alfred T. Truitt regarding availability of the Bush Street property owned by Miss Anne Dashiell. Councilman Fullbrook stated that a year ago the City was interested in acquiring all the property on that side of Route 50 that was possible to obtain, however, it seems that now none is wanted on that side. After discussion the Council requested that a letter be written to Mr. Truitt advising that the City has no interest in the Dashiell property at this time.

A letter from Col. Meise, Civil Defense Director, regarding radiological course. Mayor McLernon stated that he had discussed the matter with Chief Chatham and it is requested that we assign some patrolman from the City Police Dept. to attend the training course, which will cost about \$20.00. The Council concurred in authorizing that one of the City Policemen attend the course on a motion by Councilman Long and seconded by Councilman Laws.

Letters addressed to Chief Chatham from Peninsula General Hospital, Junior Women's Club and the Junior Chamber of Commerce, expressing appreciation for assistance and courtesies extended by the Police Dept. on the occasion of recent events.

Minutes of Meeting of June 26, 1961

28. The Treasurer reported that the Water Main Contract provided for in the 1960 Bond Issue was \$10,912.61 more than amount provided and that with the concurrence of the City Engineer it was requested that the Council approve the transfer of \$1,487.50 designated for Engineering and Cost of Issuance, and \$8,967.00 designated for Sewer and \$458.11 for Chris Craft Water Main in the 1960 Bond Issue. After discussion the Council concurred in approval of the transfer of the amounts, as requested, on a motion by Councilman Long and seconded by Councilman Martin.

29. The City Engineer presented request from Mr. Green for extension of water and sewer services to serve seven lots on Greenmor Avenue, Nos 13E to 19E, for which he would deposit the entire cost of 500 ft. line, and the City to enter into agreement that if and when the services were permitted to be tapped into to serve the east side of the street that a refund would be made to him on a prorata basis. He stated that the cost would be about \$7,000 to serve the seven lots in addition to about \$2,000 the City would have to spend. After discussion the Council concurred in approval of the extension of water and sewer services at the expense of Mr. Green, and the City to spend \$2,000, but would not be willing to enter into any agreement for a refund when the lots on the other side of the street are served, on a motion by Councilman Fullbrook and seconded by Councilman Martin.

30. The regular meeting adjourned at 11:30 P.M. on a motion by Councilman Martin and seconded by Councilman Fullbrook.

July 10, 1961
Date

W. E. Martin
President of The Council

Josephine M. Traubelfield
Clerk

The Council of The City of Salisbury met in regular session at 8:00 P.M. at the City Hall, Monday, July 10, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The reading of the minutes of the meeting of June 26, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.

2. Councilman Long reported that he had attended a meeting of the Recreation Commission and had been requested to submit the name "North Lake Park" as the name agreed upon by the Recreation Commission to the Council for approval. The Council concurred in accepting the recommendation of the name "North Lake Park" for the Game Farm Playground on a motion by Councilman Martin and seconded by Councilman Laws.

3. Mayor McLernon introduced the members of the Citizen's Advisory Committee on Urban Renewal, who were present. Professor A. L. Fleming, Chairman, presented the following recommendations of the Committee; (also a progress report on the Committee's work)

1. That, in accordance with the attached plan the City of Salisbury initiate action on the first Urban Renewal Project by preparing and submitting to the Urban Renewal Administration application for survey and planning funds for the study of the area designated as Project No. 1.

2. That after having completed the survey, such questions of financing as marketability and acquisition and resale values of land can be more accurately determined. The Committee believes it is essential that such information be collected and available before making recommendations on additional projects.

3. That, this Committee continue to work intimately with these projects while the fact finding process of the survey is being completed and this be in a position to develop further recommendations for the Mayor and Council relative to actual clearance and redevelopment.

Professor Fleming stated that he thought it wise not to delay the first Project any longer than necessary, and in the meantime to prepare the second areas to be studied while survey of the first area is being made. He delineated the first area of the plan recommended - East on Market Street to the line of Special Tax District and the Camden - Market Street and Circle Avenue Area.

After discussion the Council concurred in accepting the recommendations of the Citizen's Advisory Committee on Urban Renewal to make application to the Urban Renewal Administration for a grant for survey and planning funds for study of the area designated as Project No. 1, on a motion by Councilman Martin and seconded by Councilman Laws.

4. Mrs. Mary Hopkins, 218 Maryland Avenue appeared before the Council in the matter of acquisition of her property by the City for the Waverly Project right of way. The City Engineer reviewed the matter stating that an appraisal was made for the City by Mr. Alf. Truitt at \$15,000 which included 10% to 15% for inconvenience, etc. and that in order to check this figure that he had an appraisal made by Mr. Vic Stephens, Realtor, who appraised Mrs. Hopkins Property at \$13,000, which included \$2,000 for inconvenience, etc. He stated that he had

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Meeting of July 10, 1961

written to Mrs. Hopkins offering her the highest appraisal figure of \$15,000, and that Mrs. Hopkins had indicated that the offer was not as much as she would like to have. He read a letter of reply from Mrs. Hopkins, in which she requested that he present her offer of \$20,000 for the property to the Council. Mrs. Hopkins stated that she did not feel the offer of \$15,000 a fair offer, but that she would be satisfied to sell her property for \$20,000. Mayor McLernon explained to Mrs. Hopkins the reason for not replying to her letter was due to awaiting settlement between other parties, and that should there not be any settlement the City would not likely have much interest in her property. After further discussion the President of the Council advised Mrs. Hopkins that the City would keep in touch with her regarding the matter.

5. Ordinance No. 824 AN ORDINANCE OF THE CITY OF SALISBURY changing the boundaries of a "Residential A" district and the adjoining "Commercial" district as shown on the Zone District Map of The City of Salisbury on file in the office of the City Clerk and adopted by the Council of The City of Salisbury on August 3, 1959, and incorporated by reference in Ordinance No. 789 of The City of Salisbury, and forming a part thereof pursuant to Section 8 of said Ordinance No. 789, and duly identified and authenticated as provided in Section 68 of Ordinance No. 789, so as to rezone from "Residential A" to "Commercial" the area bounded on the East by John Street, on the North by Carrollton Avenue, on the West by South Division Street, and on the South by the existing Commercial zone, was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Martin.

6. Ordinance No. 821 AN ORDINANCE of The City of Salisbury amending and supplementing Subsection 6 of Section 40 of the Zoning Code (being Ordinance No. 789, approved August 22, 1959 for the purpose of providing specific requirements for off-street parking provision by businesses which are primarily wholesale sales, storage or warehousing, and used car sales was adopted on second and final reading on a motion by Councilman Long and seconded by Councilman Fullbrook.

Mr. Charles Hearn, Attorney, was present and stated that he would join in recommendations relating to parking spaces in Ordinance No. 821 with one qualification - that being that he did not feel that used car sales should be included in the category and would suggest that used car sales be deleted. Mr. Gilman, Planning Director, stated that he did not want to take the position that the recommendations of the Planning Commission in this matter be altered, and that he would concur with the Planning Commission's recommendations. The City Solicitor explained that this is sort of a trial in attempt to find the proper formula to cover a short period of time between 1st of January until the Zoning Ordinance is revised, and that he would like to see the formula tried, including used car sales, to try to clear up certain inequities until the Zoning Ordinance is revised.

7. Ordinance No. 825 AN ORDINANCE OF THE CITY OF SALISBURY amending Section 102.2 of the Plumbing Code of The City of Salisbury, being Ordinance No. 799, approved May 9, 1960, by deleting therefrom the second sentence of said Section 102.2 was introduced and duly passed for first reading on a motion by Councilman Fullbrook and seconded by Councilman Laws. Councilman Long voted in the negative.

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8. Ordinance No. 826 AN ORDINANCE OF THE CITY OF SALISBURY to amend Section 2-11 of the Salisbury City Code, 1959, by striking therefrom the word "Ten" and inserting in lieu thereof the word "Thirty" in order to permit direct purchase by using agencies of urgently needed supplies, materials or equipment of less than thirty dollars in amount, was introduced and duly passed for first reading on a motion by Councilman Fullbrook and seconded by Councilman Martin.

9. Resolution No. 7 A RESOLUTION OF THE CITY OF SALISBURY amending and supplementing Section 138 of the Charter of the City of Salisbury (being Section 420 of the Code of Public Local Laws of Wicomico County, 1959 Edition) relating to construction of private water, sewerage and drainage systems, in order to extend the provisions of said Section to areas outside the corporate limits which are supplied by the City of Salisbury with water or sewerage systems was adopted on second and final reading on a motion by Councilman Fullbrook and seconded by Councilman Martin.

Mr. Laws, City Solicitor, advised that this Charter amendment would become effective on the fiftieth day following adoption of Resolution No. 7 on this date, unless on or before the fortieth day after passage of Resolution No. 7 a referendum vot is requested by petition of 20% or more of the qualified voters of the City.

10. Mr. Victor Laws, City Solicitor, presented a draft Resolution relating to the shrubbery program for Main Street. Councilman Laws stated that he did not favor exclusive rights to any one nursery, and also that he felt that the shrubbery should be uniform. Councilman Fullbrook suggested that installation of shrubbery be permitted under proper supervision and that some standard be set, and that the merchants be able to deal with the nursery of their coice. Mayor McLernon inquired as to whether it was the intent to grant variances to anyone who wants to come in on this program or if for everyone in the Central Business District. The City Solicitor advised that it was open to all throughout the Central Business District. After discussion the City Solicitor advised that the Resolution would be revised to name no specific nursery.

11. Mr. Gilman, Planning Director presented request for adjustment in lot line of the property between Sears, Roebuck and the proposed McGrory Store by shifting the lot line 11ft-3 in. toward the proposed McGrory Building to permit a distance of 15 ft. away from the Sears Building. He stated that this would not affect parking requirements established by the Board of Zoning Appeals and recommended that the request be granted. The Council concurred in accepting the recommendation on the Planning Director and approved adjustment of the lot line, as requested, on a motion by Councilman Fullbrook and seconded by Councilman Long.

12. The Planning Director presented request for Council approval of subdivision of property of John and Lottie Ball at corner of Clay and Isabella Streets. After discussion the Council concurred in approval of the subdivision on a motion by Councilman Long and seconded by Councilman Martin.

13. The Planning Director presented copies of sewer and water plan and stated that it is a general physical plan for developing water and sewer and was being distributed for Council

Minutes of Meeting of July 10, 1961

review and with the knowledge that it has been officially adopted by the Planning Commission after holding public hearings on the plan.)

14.) Mayor McLernon presented the following correspondence:

Thank you note from Junior Chamber of Commerce for City's support in their recent 4th of July activities.)

Note expressing appreciation from Mrs. Paul Richardson and daughter for flowers sent at time of death of Mr. Richardson.)

Two letters of commendation for passage of Ordinance relating to clearing of vacant lots - one from Mr. James Bisker and one from Jr. James Di Virgili.)

15.) The regular meeting adjourned at 9:45 P.M. on a motion by Councilman Laws and seconded by Councilman Martin.)

Immediately following adjournment of the regular meeting the Council convened in an executive session.)

The Executive Secretary inquired as to how many would attend the formal dedication of the North Lake Park Playground on Thursday, July 13 at 7:00 P.M. Seven persons indicated they would attend.)

The City Solicitor reported that he was unable to get the Chandler Property for \$13,000 plus \$3,600 cost of utilities, as authorized by the Council at their meeting on June 26, 1961. He stated that Mr. Chandler had denied having made the proposal of \$14,000 less one-half the cost of utilities for the property. Mr. Laws stated that he had repeated the City's counter-proposal which Mr. Chandler turned down and that his current proposition was \$10,400 in cash plus cost of putting in utilities including connection charges for the six houses on Douglas Place, an estimated cost of \$18,486. for the property. He stated that the Court case is at issue and that he had not asked for a trial date. After discussion the Council concurred in taking the case to Court, and requested that the City Solicitor ask for a trial date immediately, and also that Chandler's case against the City be set down for argument, on a motion by Councilman Fullbrook and seconded by Councilman Long.)

The executive session adjourned at 10:00 P.M.)

July 24, 1961
Date

Joe M. Trautlefeld
President of the Council

Josephine M. Trautlefeld
Clerk

Progress Report

I. Since its appointment by the Mayor and Council on March 20, 1961, the Citizens' Advisory Committee first assigned itself the responsibility of becoming thoroughly familiar with the Urban Renewal Program in general and specifically with the need for and development of an Urban Renewal program for this community.

II. In order to meet its primary objective, which is to develop a set of recommendations for the Mayor and Council, the Committee, second, made a careful study of the community and defined the potentials of Urban Renewal in the context of community needs.

III. The Committee next analyzed the long-range plans being developed by the Planning Commission and examined on the ground many of the proposals and recommendations made by the Commission.

IV. The Committee, then, on the basis of evaluation as heretofore described presents to the Mayor and Council the following recommendations which avail the city of certain economies in working from projects already installed and which recognize the prime necessity of public acceptance early in a program of urban renewal.

1. That, in accordance with the attached plan, the City of Salisbury initiate action on the first Urban Renewal Project by preparing and submitting to the Urban Renewal Administration application for survey and planning funds for the Study of the Area designated as Project #1.

2. That after having completed the survey, such questions of financing as marketability and acquisition and resale values of land can be more accurately determined.

The committee believes it is essential that such information be collected and available before making recommendations on additional projects.

3. That, this committee continue to work intimately with these projects while the fact finding process of the survey is being completed and thus be in a position to develop further recommendations for the Mayor and Council relative to actual clearance and redevelopment.

The Council of The City of Salisbury met in regular session at 8:00 P.M. at the City Hall, Monday, July 24, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the regular meeting of July 10, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.
3. Ordinance No. 825 AN ORDINANCE OF THE CITY OF SALISBURY amending Section 102.2 of the Plumbing Code of The City of Salisbury, being Ordinance No. 799, approved May 9, 1960, by deleting therefrom the second sentence of said Section 102.2 was adopted on second and final reading on a motion by Councilman Fullbrook and seconded by Councilman Martin. Councilman Long voted in the negative.
4. Ordinance No. 826 AN ORDINANCE OF THE CITY OF SALISBURY to amend Section 2-11 of the Salisbury City Code, 1959, by striking therefrom the word "Ten" and inserting in lieu thereof the word "Thirty" in order to permit direct purchase by using agencies urgently needed supplies, materials or equipment of less than thirty dollars in amount, was adopted on motion by Councilman Martin and seconded by Councilman Fullbrook.
5. The City Solicitor presented revised Resolution relating to the Shrubbery Program eliminating the installation of tubbed evergreens and other plants by one specific nursery and making the installation of tubbed evergreens and other plants open to all interested parties. The Resolution as revised was adopted by the Council on a motion by Councilman Fullbrook and seconded by Councilman Martin. (See copy of Resolution attached to Minutes).
6. The Executive Secretary presented request of Mr. Benjamin F. Dye to close a portion of an alley in the rear of his property on Dover Street. After discussion the Council concurred in granting the request to close the alley on a motion by Councilman Long and seconded by Councilman Fullbrook.
7. The Executive Secretary reported that complaints have been received from numerous people in the area of Webb Packing Company due to smoke and odor from that plant. He stated that he and the Fire Marshal had visited the Webb Packing Company and found that the soot and smoke was due to their burning soft coal and that they had promised to change their boiler over to oil and also that an incinerator was to be built, as the Fire Marshal had issued orders to cease burning on open ground. He stated that there is a private well at the location from which water empties to the rear of the property and that the Health Officer had advised should be either closed up or fenced in. He stated that the people in the area have been very patient, but are now pressing for some Council action for relief from the conditions. Councilman Fullbrook stated that he understood that construction of an incinerator had been begun. After discussion the Council requested that the Executive Secretary go to the plant to see whether or not the incinerator had been started. Councilman Martin advised that he would call on Mr. Webb and ask him to cut the weeds on the property and do something about the hole in which the water is drained from the private well.
8. Ordinance No. 824 AN ORDINANCE OF THE CITY OF SALISBURY changing the boundaries of a "Residential A" district and the adjoining "Commercial" district as shown on the Zone

Minutes of Meeting of July 24, 1961

District Map of The City of Salisbury on file in the office of the City Clerk and adopted by the Council of The City of Salisbury on August 3, 1959, and incorporated by reference in Ordinance No. 789 of The City of Salisbury, and forming a part thereof pursuant to Section 8 of said Ordinance No. 789, and duly identified and authenticated as provided in Section 68 of Ordinance No. 789, so as to rezone from "Residential A" to "Commercial" the area bounded on the East by John Street, on the North by Carrollton Avenue, on the West by South Division Street, and on the South by the existing Commercial zone, was duly passed on second and final reading on a motion by Councilman Long and seconded by Councilman Martin; there being no one present for the public hearing at 8:15 P.M., as advertised, to protest passage.

In this matter, the City Solicitor, reported from minutes of the meeting of the Planning Commission held on June 15, 1961, that it was their recommendation to the Council that the area above referred to be zoned from Residential "A" to "Commercial for reason of error in original zoning of the area.

9. The Executive Secretary presented a report on water and sewer services both within the City and Outside the City in cases where there are connections to one service and not the other. (see report attached to minutes). After discussion the Council requested that personal contact be made with these people within the City limits to have them connect to both City services.

10. Mr. Shortall appeared before the Council and reported that there had been a disturbance at Johnson's Lake after midnight on Sunday, July 23. He stated that the officers make bathers leave the area at 9:00 P.M., but after the officers have gone the bathers return and cause disturbance in the neighborhood. Chief Chatham stated that he would see that the area is patrolled and that signs will be posted stating that no bathing permitted after 9:00 P.M.

11. Councilman Laws stated that he felt that the matter of lifeguards for the City swimming areas should be looked into and that the swimming hours be regulated to possibly one shift. The Executive Secretary stated that there should be five lifeguards for the five swimming areas in the City or that the areas should be closed or posted as being unprotected. After further discussion the Council concurred in employing six lifeguards, of which one would be a relief guard, and the hours to be from 12:00 Noon until 9:00 P.M., and that signs be erected stating that swimming at own risk at other hours, on a motion by Councilman Laws and seconded by Councilman Martin.

12. The City Engineer presented request to erect "No Parking" signs on both sides of the area between North Park Drive and the Bridge. The Council concurred in authorizing that "No Parking Either Side" be erected as requested.

13. The Building Inspector presented a report of a survey made of vending machines located on City sidewalks, which were in violation of the Building Code. He stated that after reviewing the request for permission to place soft drink vending machine on the sidewalk in

Minutes of Meeting of July 24, 1961

14. The City Solicitor reported that the County Commissioners had seen the advertisement in the newspaper regarding private water systems and were under the impression that it was to become effective on the 15th day following passage of the Council Resolution on July 10 rather than taking effect on the 50th day and had invited the Executive Secretary, the City Engineer and himself to meet with them on Tuesday, July 25 for discussion of the Charter amendment. He invited the Council to attend the meeting to be held in the County Commissioners Office at 11:00 A.M., Tuesday, July 25.

15. Ordinance No. 827 - AN ORDINANCE OF THE CITY OF SALISBURY for the purpose of closing certain portions of Howard Street, Taylor Street, Moore Street, Wesley Street and John Street, and portions of certain alleys connecting John Street, Howard Street and River Street (now Alabama Avenue) as shown on a plat entitled "Plat of Fred P. Adkins and John W. Messick Land Purchased of Ella C. Williams," etc., was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Laws.

16. The regular meeting adjourned at 9:15 P.M. on a motion by Councilman Long and

Minutes of Meeting of July 24, 1961

14. The City Solicitor reported that the County Commissioners had seen the advertisement in the newspaper regarding private water systems and were under the impression that it was to become effective on the 15th day following passage of the Council Resolution on July 10 rather than taking effect on the 50th day and had invited the Executive Secretary, the City Engineer and himself to meet with them on Tuesday, July 25 for discussion of the Charter amendment. He invited the Council to attend the meeting to be held in the County Commissioner Office at 11:00 A. M., Tuesday, July 25.

15. Ordinance No. 827 - AN ORDINANCE OF THE CITY OF SALISBURY for the purpose of closing certain portions of Howard Street, Taylor Street, Moore Street, Wesley Street and John Street, and portions of certain alleys connecting John Street, Howard Street and River Street (now Alabama Avenue) as shown on a plat entitled "Plat of Fred P. Adkins and John W. Messick Land Purchased of Ella C. Williams," etc., was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Laws.

16. The regular meeting adjourned at 9:15 P. M. on a motion by Councilman Long and seconded by Councilman Laws.

August 14, 1961
Date

ONE MASON
President of The Council

Josephine M. Frankel
Clerk

RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY
ACTING IN ITS CAPACITY AS THE
BOARD OF ADJUSTMENTS AND APPEALS
UNDER THE BUILDING CODE OF THE CITY OF SALISBURY

WHEREAS Andrews Nursery of Maryland, represented by Mr. Kim Andrews, has requested permission from the Board of Adjustments and Appeals to place tubbed evergreens and other plants on public sidewalks in the downtown area, and has stated that a considerable number of downtown merchants have authorized him to make such request, his and their object being to beautify the downtown shopping area and make same more attractive to the public, and this Board believes that such objects are desirable and in the public interest.

NOW, THEREFORE, BE IT RESOLVED, by this Board of Adjustments and Appeals that a variance be, and hereby is, granted from the provisions of Section 2202.2 of the Building Code to nurserymen or nursery firms or corporations, and landscape contractors and gardeners, or their firms or corporations, for the placing on public sidewalks, in the downtown area now zoned "Central Business District", of tubbed evergreens and geraniums and other annuals during the growing season of the year and tubbed evergreens and ivy during the winter months or non-growing season of the year; provided, however, that:

1. All said persons, firms or corporations, and the individual merchants for whom each of them places such tubbed plants shall carry adequate and appropriate liability insurance;
2. That there shall be no advertising signs or other advertising materials of any kind on, and no direct commercial use by, such individual merchants of such tubbed plants or the tubs containing same; and
3. That the City's liability insurance carrier shall be advised of the permission hereby granted and shall confirm that the City's liability insurance will cover the City's public liability, if any, resulting from the placing of such tubbed plants on public sidewalks.

AND BE IT FURTHER RESOLVED that this Board hereby waives written notice of appeal to this Board by Andrews Nursery of Maryland, and also waives the Ten Dollar (\$10.00) fee for such notice of appeal.

The Council of The City of Salisbury met in regular session at 8:00 P.M. at the City Hall, Monday, August 14, 1961. The following were present: President of the Council, Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the regular meeting of July 24, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Fullbrook.

3. The Executive Secretary reported that bids for construction of Sanitary Sewer and Water Main at East College Avenue were received on August 8, 1961 as follows:

	3-61-S	4-61-W
A. P. Isakson, Inc., - Salisbury, Md.	\$3,630.22	7,717.96
George Wilkinson - Salisbury, Md.	3,978.58	8,643.86
George and Lynch - Wilmington, Del.	4,996.00	8,555.00

The Executive Secretary reported that the bids had been reviewed by the Dept. of Public Works and recommended that award of the bids be made to the low bidder, A. P. Isakson, Inc. The Council concurred in awarding Contract 3-61-S in the amount of \$3,630.22, and Contract 4-61-W in the amount of \$7,717.96 to A. P. Isakson, Inc. on a motion by Councilman Long and seconded by Councilman Fullbrook.

4. The Executive Secretary presented request of Mr. Richard Leviness, corner N. Division and Parsons St., to make Parsons Street one-way going East. He stated that the residents of Parsons Street had been contacted regarding making Parsons Street one-way and that all were in favor of it, the one objector being a resident of William Street. He stated that the Chief of Police and the City Engineer concur in making Parsons Street one-way going East. After discussion the Council concurred in authorizing that Parsons Street be made one-way going East on a motion by Councilman Martin and seconded by Councilman Laws.

5. The Executive Secretary presented request from Mrs. Cora Gordy Smith for relief from Parking District No. 1 Assessment on her property located at corner of Market and Camden Streets on the basis that the building was vacant and was a hardship case. The Council indicated they were sympathetic to the request in view of poor parking and recent sewer construction in the area, and Councilman Laws introduced a motion to grant exemption as requested. Mr. Victor Laws, City Solicitor, advised that there was some doubt as to the legality of such an exemption being granted on the basis stated; that under the Parking District No. 1 Ordinance he felt that abatement of tax could be made only if the tax were paid in error and recommended that the matter be studied before action was taken. Councilman Laws, therefore, withdrew the motion to grant the exemption on the basis of the City Solicitor's explanation and the Council requested the City Solicitor and the Executive Secretary to review the matter and report on it at the next regular meeting.

6. The Executive Secretary reported that he and the City Engineer had been contacted by Dr. Hurdle regarding a drainage problem at the Health Department. The City Engineer explained that the drainage problem is due to difference in grade in the area, and that when something is caught in the inlet or there is a particularly heavy flow of water it washes gullies on the parking lot. He stated that by doing some grading and shaping the parking lot area which is washing can be paved for about \$800 and that the Hospital had indicated that if the

Councilman Martin stated that since Waverly Street is to be relocated from Hazel to Ohio Avenue during the current year he felt that condemnation of properties in the area from Ohio to Maryland Avenue should be dropped until the City is ready to move ahead with the project to ultimately connect with Vine Street.

10. Ordinance No. 829 AN ORDINANCE OF THE CITY OF SALISBURY for the closing of an unnamed alley 12 feet wide extending for a distance of 40 feet Westerly from Dover Street in the block of Dover Street between Johnson and Vaden Streets; and providing for the conveyance to abutting property owners of all right, title and interest of The City of Salisbury in and to the bed of said closed alley, was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Fullbrook.

11. Mr. Laws, the City Solicitor, reported that Mr. Lloyd Chandler was in substantial agreement in settlement on the Lake Street Property, and that Mr. Chandler had asked the question as to how many houses he would be able to build fronting on Delaware Avenue. He stated that he explained to Mr. Chandler that it was not the function of the Council to pass on subdivisions, that it was the authority of the Planning Commission. He stated that the City Engineer had reviewed the proposed subdivision and it was his understanding that he felt that it was an acceptable subdivision, bearing in mind other type in the neighborhood. The City Engineer stated that in order to get some minimum standard in relation to the area he felt that it was agreeable, and that the next step was to present the subdivision to the Planning Commission at their next meeting and then to be presented to the Council for review and concurrence in approval if approved by the Planning Commission. The City Engineer also stated that Mr. Chandler had requested his office to prepare the final plats for the Planning Commission and that he felt that the Dept. of Public Works should not be burdened with that type of private endeavor and asked for an expression from the Council concerning the request. The Council concurred in denying Mr. Chandler's request.

12. Mr. Gilman, Planning Director, presented for Council information a review of subdivision of Richard E. Parsons at corner of Lincoln Avenue and Roger Street, he stated that it had been reviewed by the Planning Commission and saw nothing wrong with the subdivision.

13. The City Solicitor reported in the matter of Resolution No. 7 relating to private water systems. He stated that a meeting was held on July 25 with the County Commissioners, the Executive Secretary, the City Engineer and himself and that a subsequent meeting was held on July 27 with representatives of the County and the City, which had been summarized in a memorandum to the Council. He reported in detail the discussion of the meetings and read items from the memo to the Council. After much discussion it was the consensus of opinion that a fee of \$10.00 should be charged for permit, that there should be a stiff penalty imposed for violations, and that the permits be single property permits; also the City and the County would inspect the systems (the City would inspect within the City and the County outside the City). The Council requested the Committee to meet with the County and write joint regulations to cover the private water systems.

14. The Executive Secretary reported that when Ordinance No. 819 relating to Pinball Machines was prepared he was not consulted that that he would like to recommend that the Ordinance be amended to place the issuance of licenses under the "Bureau of Licenses," that the licenses expire in January along with other City licenses and not in April as set forth in the Ordinance; and that the accounting of funds as designated be changed. The City Solicitor advised that the April 30th date was set due to the State license expiring on that date and he

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Council would contribute the labor they would pay for the material. He stated that the County Commissioners have agreed to pay \$400. and the Hospital will pay \$400. and that it would require about two days work with City's crew, which would cost about \$300. After discussion the Council concurred in authorizing that the work be done by City forces, as outlined, on a motion by Councilman Martin and seconded by Councilman Fullbrook.

7. The Executive Secretary explained that Mr. Irvin Sullivan's March Water Bill was for 22,000 gals. and a credit for 2,000 gals was allowed on that bill and that the June 1 Bill was for 33,000 gals and after a complaint was made the meter was checked and pulled and changed after which a check has been made and the reading shows that an average of 158 gals per day is now being used. Mr. Sullivan was not present to discuss the matter and Councilman Martin requested that action be deferred on the matter of Mr. Sullivan's bill until he can be present to state his case

8. Ordinance No. 827 AN ORDINANCE OF THE CITY OF SALISBURY for the purpose of closing certain portions of Howard Street, Taylor Street, Moore Street, Wesley Street and John Street, and portions of certain alleys connection John, Howard and River Streets (now Alabama Avenue) as shown on a plat entitled "Plat of Fred P. Adkins and John W. Messick Land Purchased of Ella C. Williams," and recorded among the Land Records of Wicomico County, Maryland, on November 25, 1927, in Liber J.C.K. No. 152, Folio 104; said closed portions of said streets and alleys on said plat having been superseded by the dedication and opening of Virginia Avenue, Georgia Avenue, Alabama Avenue and Riverside Drive, as shown on a plat entitled "Riverside Estates, Section No. One," and recorded as aforesaid on June 15, 1956 in Liber J.W.T.S. No. 396, Folio 87, was adopted on second and final reading on a motion by Councilman Long and seconded by Councilman Laws.

9. Ordinance No. 828 AN ORDINANCE OF THE CITY OF SALISBURY for the relocation of a portion of Waverly Street between Hazel Avenue, Florida Avenue and Ohio Avenue, and for the closing of the Southernmost portion of Waverly Street between Hazel Avenue and a projection of the North line of the lands of Boulevard Corporation located between South Salisbury Blvd. and Waverly Street, and for the closing of the Easternmost portion of Florida Avenue lying between existing Waverly Street and the East line of Waverly Street as relocated as aforesaid; and providing for the conveyance to abutting property owners of all right, title and interest to The City of Salisbury in and to the beds of said closed portions of Waverly Street and Florida Avenue in exchange for the conveyance to the City of Salisbury, in fee simple, by said abutting property owners of the right of way for said Waverly Street as so relocated between Hazel Avenue, Florida Avenue and Ohio Avenue, was introduced and duly passed, after being amended to provide for closing of old section and opening of new section to be simultaneous on a motion by Councilman Fullbrook and seconded by Councilman Laws. Councilman Long voted in the negative.

There was discussion on Ordinance No. 828. The City Solicitor reported that he had met with Mr. Lehman and had inquired as to how soon their project would go forward and that he understood from Mr. Lehman that the building permit had been issued and bids have been received and that construction of their building is to start as soon as possible. He presented a plat showing the streets referred to in the Ordinance and stated that it was his understanding that the owners of Johnny's and Sammy's and the Colonial Stores had not been able to reach agreement at this time and that there is no immediate plan to start on the widening of Maryland Avenue.

felt it would be less difficult to have the State and City licenses renewed on the same date, however, the date could be easily changed. He stated that on the question of ear-marking the funds - that was done in accordance with the ruling of the Attorney General that there be some dedication to Police Work and that if the Ordinance is watered down anymore it won't be a valid ordinance. He stated that the question of licensing being placed under "The Bureau of Licenses" - he felt that was meant to be the "Bureau of Inspections" as under the City Code the City Clerk issues licenses and that it had been the practice that all licenses are issued in the Treasurer's Office and that ordinances of this kind are enforced by the Police Dept. He read a list of penal ordinances enforced by the Police Dept. and stated that Ordinance No. 819 is a penal ordinance and like any other licensing ordinance in the City under the City Charter is the function of the Police Dept. to enforce; and that if there is any change the Chief of Police would like to be notified.

Chief Chatham stated that Ordinance No. 819 was passed on June 26 and that on July 31 he had not been furnished a copy and he inquired about it and on August 1 started the inspection and notified those concerned to obtain licenses, and that the City lost approximately \$128.00 in revenue due to the Ordinance not being enforced during the month of July.

After much discussion the Council concurred that this is a function of the Police Dept. to enforce such ordinances and that the licenses would be issued in the Treasurer's Office, as there was no "Bureau of Licenses", under provision of the City Charter.

15. The City Solicitor reported that he had chosen two cases as test cases on the corner obstruction ordinance and the first two suits to be filed were against Dr. William Fisher at the corner of Camden and Virginia Aves., and the second against Charles Robert Dashiell, 210 Saratoga Street. He stated that the defendants had been notified of the obstructions and that there was a long list of others of which these two are typical.

16. Mr. Gilman, Planning Director, reported that the application for Urban Renewal survey and planning funds had been delayed because the new Federal Law which would increase the amount from two-thirds to three-fourths, and based on this particular project would amount to about \$50,000, and that it was felt justifiable to wait for the Law to become effective before application was made. He stated that the application would be submitted to the Council at the next regular meeting.

17. The regular meeting adjourned at 10:15 P.M. on a motion by Councilman Martin and seconded by Councilman Laws.

August 28, 1961
Date

W. E. Mason
President of The Council

Josephine M. Traubelfield
Clerk

The Council of The City of Salisbury met in regular session at 8:00 P.M. at the City Hall, Monday, August 28, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The reading of the minutes of the meeting of August 14, 1961 was dispensed with on a motion by Councilman Laws and seconded by Councilman Fullbrook.
2. Twelve residents of the Dover Street Area appeared before the Council to voice objection and complaints regarding soot, smoke, and odor from the Webb Packing Co., the chief complaint being the soot falling on laundry, cars and entering their homes causing much damage. Among those present and speaking for the group were: Mr. Owen Mills, 406 Dover St., Mrs. Winnie Kelly, 411 Liberty Street, and Mr. William Hitchens, 401 Dover Street.

Mr. Fred Grier, Fire Marshal, advised the group that he and Mr. Perkins, Executive Secretary, had discussed the complaints with the Webb Packing Company and that as a result they had installed and put into operation an incinerator and that no more open burning would be done, also Mr. Dickerson of the Webb Packing Company, had advised that oil burning furnace is being installed in the fall and that this would do away with the wood and coal burning and eliminate the soot in the air; also they propose to fence in the area where there is a pool of water.

Mayor McLernon advised the group that the City is aware of the nuisance and that Mr. Grier and Mr. Perkins have been working diligently in an effort to effect some cure of the nuisance and give the residents of the area relief and that the most that could be done at this time was to beg the indulgence of the residents with the promise that relief is in sight.

The President of the Council suggested that a letter be written to the Webb Packing Co. advising them of the appearance of this delegation. After further discussion the President of the Council advised the group that the matter would be followed up and thanked them for appearing.

3. The Executive Secretary reported that bids had been received on the sale of the salvage property located at 429, 448 Granby Street as follows:

Albert Riall, Tyaskin, Md.	\$ 382.50
Norris L. Niblett, Seaford, Del.	313.00
S. J. Evans, Salisbury, Md.	205.00

The Executive Secretary stated that Mr. Riall's bid was for the dwelling and one frame building only, but had agreed to remove the other two shed type buildings. The Council authorized that sale of the buildings be awarded to the high bidder, Mr. Albert Riall, in the amount of \$382.50 on a motion by Councilman Fullbrook and seconded by Councilman Laws.

4. Ordinance No. 828 AN ORDINANCE OF THE CITY OF SALISBURY for the relocation of a portion of Waverly Street between Hazel Avenue, Florida Avenue and Ohio Avenue, and for the closing of the Southernmost portion of Waverly Street between Hazel Avenue and a projection of the North line of the lands of Boulevard Corporation located between South Salisbury Boulevard and Waverly Street, and for the closing of the Easternmost portion of Florida Avenue lying between existing Waverly Street and the East line of Waverly Street as relocated as aforesaid; and

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providing for the conveyance to abutting property owners of all right, title and interest of The City of Salisbury in and to the beds of said closed portions of Waverly Street and Florida Avenue in exchange for the conveyance to The City of Salisbury, in fee simple, by said abutting property owners of the right of way for said Waverly Street as so relocated between Hazel Avenue, Florida Avenue and Ohio Avenue, was adopted on second and final reading on a motion by Councilman Fullbrook and seconded by Councilman Laws.

5. The City Solicitor presented the following quit claim deeds and requested the Council to authorize that they be executed on behalf of the City by Mayor McLernon:

Quit Claim Deed - Waverly Street and Florida Avenue - Waverly Street Relocation
Parcels f, g, h, and j - Boulevard Corporation.

Quit Claim Deed - Waverly Street - Waverly Street Relocation
Parcels f, g, h, and j - Edith L. Williams and Family.

The Council authorized that the quit claim deeds be executed by Mayor McLernon on a motion by Councilman Fullbrook and seconded by Councilman Laws.

6. Ordinance No. 829 AN ORDINANCE OF THE CITY OF SALISBURY for the closing of an unnamed alley 12 feet wide extending for a distance of 40 feet Westerly from Dover Street in the block of Dover Street between Johnson and Vaden Streets; and providing for the conveyance to abutting property owners of all right, title and interest of The City of Salisbury in and to the bed of said closed alley, was adopted on second and final reading on a motion by Councilman Martin and seconded by Councilman Laws.

7. The City Solicitor presented Deed for execution of the Clairmont Village Property. He explained that the proposal is to close the Easternmost end of Clairmont past Lorecrop Drive, close the Easternmost end of Clairmont Drive and upon the closing of the streets it is proposed that the abutting properties will get title to one-half of the properties on the East Side and the City will get the other one-half of street bed, in return for which the Clairmont Developers will build a wall screening the commercial area from the residential area. This would then give ownership of short block for commercial development to Clairmont Developers. The City Solicitor advised that residents of the area have been contacted and have expressed agreement and feel that the wall shielding the residential area from the commercial area will be a benefit. He stated that it is necessary that all residents sign an agreement in order that the project be done. After discussion the Council concurred in approving execution of the deed in general providing all necessary signers sign the agreement, on a motion by Councilman Fullbrook and seconded by Councilman Laws.

8. The City Solicitor reported the deed from the State conveying the South right of way line of Route 50 and South line of Church Street had been received and that in a matter of a few days the City will be in a position to convey and give record titles of the residue parcels of land to the people purchasing the residue land.

In this connection the Treasurer inquired as to whether or not the City would accept any proposed method of paying for the residue. The City Solicitor advised that under provisions of the Ordinance payment can be spread over a ten year period and the City will accept any method of payment the purchaser wishes to make.

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9. Mr. Fred Flowers appeared before the Council and requested Council approval of subdivision Plat of the Hammond and Caroline Streets Property in which there are eight building lots. The City Engineer recommended approval of the plat on the basis of granting issuance of building permits for lots 1, 6, 7 and 8 and withholding building permits on lots 2, 3, 4, and 5 until the sewer to serve these lots is constructed. The Council authorized that plat be approved on the basis recommended by the City Engineer, on a motion by Councilman Martin and seconded by Councilman Laws.

10. Councilman Martin stated that he had received inquiries from numerous people regarding survival shelters and asked what the ruling was with respect to issuance of a permit for such shelters without charge. He stated that there was much interest in the shelters and he would like the procedure for obtaining permits to build shelters to be as simple as possible. He suggested that if a plan for a shelter is approved by the Civil Defense Director that a building permit be issued free of charge. The City Solicitor advised that the Building Inspector has no authority to issue permit without charge, however, the simplest way to put the plan of issuing building permits on plans approved by the Civil Defense Director in effect would be by establishing resolution variance to Building Code and that he would give the matter some study and report on it at the next regular meeting of the Council.

11. The City Engineer presented memorandum dated August 21, together with itemized statement regarding cost of completion of Signalization of Route 50, a total cost of \$29,917.00. He stated that the 1960 Bond Issue designated for Traffic Signalization on Route 50 was overspent by about \$2,300. He stated that in addition to funds needed immediately for the completion of Route 50 signalization was the cost of construction of an underwater crossing under Wicomico River in the vicinity of the new bridge for the 16 inch water main. He stated that this could not have been placed under river prior to the pile driving operation for the bridge, and that it should be done as soon as the bridge is completed, and the cost would be about \$15,000. Mr. Cooper stated that he would like to be permitted to negotiate with McLean Construction Co., the contractors doing the ~~bridge~~ bridge job, to do this work. After discussion as to methods of financing the two projects requiring a total of about \$45,000 the Treasurer suggested that the residue of other funds remaining in the 1960 Bond Issue be transferred to the Traffic Signalization Account in the Bond Issue to clear the \$2,300 over-expenditure, the balances in the 1960 Bond Issue being as follows: Water Metering \$770.70, Sewer \$460.76, City Yard \$680.75, Engineering \$738.14, State Roads Commission \$18.65 - Total of \$2,669.04. Mayor McLernon stated that he would prefer the \$45,000 being a budget item rather than Bond Issue, and it might expedite matters to arrange for short term note. The Council authorized that the \$45,000 required for completion of Route 50 signalization and construction of water main under Wicomico River be financed by short term note on a motion by Councilman Fullbrook and seconded by Councilman Laws.

The City Solicitor advised that emergency borrowing required a four-fifths vote of the Council and that action could not be taken at this meeting and the matter would have to be tabled until the Council is assembled again. (Councilman Long was attending the AMA Congress in Seattle, and Councilman Martin had been excused from the meeting).

12. The City Engineer reported that the 10 - 15 ft. right of way needed for the Waverly Project at the corner of East Street and Hazel Avenue owned by Mrs. Bernice Ent had been appraised by Mr. Alf Truitt varying from \$770. to \$990. depending on whether 10 ft. or 15 ft. are taken, and that he had made an offer based on the appraisal, but that Mr. Charles Hearn, Mrs. Ent's Attorney was out of town and that he had been unable to get definite proposal

until later.

13. The City Engineer requested that he be authorized to purchase flood gates for Schumaker Dam from the Armco Company for \$2,350.00 plus about \$85.00 for epoxy paint. He stated that \$18,000 had been designated in the 1960 Bond Issue for the purchase of the flood gates as it had been anticipated to use a type of gate which cost that much, and that it was now felt that the gate from Armco could be used, and that there was no other known firm who makes this particular flood gate. The City Solicitor inquired as to what assurance there was that no other firms makes this particular flood gate, and asked what objection there would be to following the procedure of advertising for bids on this particular gate, and stated that he would like to study the matter further.

14. The City Engineer presented request for refund in the amount of \$30.00 to Mrs. Byrd on Dover Street, who had taken settled piece of sidewalk over storm drain up and replaced it at a cost of \$30.00, and that during the next week in the same neighborhood the City, at the City's expense, had replaced similar sidewalk. After discussion the Council concurred in authorizing refund of \$30.00 to Mrs. Byrd on a motion by Councilman Laws and seconded by Councilman Fullbrook.

15. The City Engineer reported that verbal agreement had been secured on use of the Atlantic Property on Lake Street for use of public toilet on the basis that the City would fix it up and that property would be vacated within thirty days upon notice. He stated this was vacant service station property.

16. The City Engineer stated that in preliminary budget planning for substantial improvement in the Park he would like to consider building a band shell in place of the present one about 1,000 feet removed from Snow Hill Road. He stated that the bottom section of the present band stand is rotting out and the toilets empty into the river. He stated that the band shell would set up in hill with rustic seating on the East Main Street side. He stated that he would also like to activate the colored fountain in the Park. After further discussion it was suggested that the matter be discussed further when a full Council was present.

17. The City Engineer read a memo from Mr. Nelson M. ssick, Assistant City Engineer, regarding violation of curb depression on East College Avenue at the Banks Store. He stated that if there is no objection he would like to request Mr. Banks to replace the curb and if he did not comply to give ten days notice and then replace the curb and bill him for cost.

18. The Executive Secretary presented matter of site for proposed Post Office. Mr. Gilman read letter addressed to the Executive Secretary regarding the matter and recommending that the site on S. Salisbury Blvd. opposite the Giant Store be the location for the Post Office rather than the Mt. Hermon Road site. After discussion the Council concurred with the recommendations of the Planning Director and endorsed the site on S. Salisbury Blvd. as the location for the Post Office, on a motion by Councilman Fullbrook and seconded by Councilman Laws.

19. The Executive Secretary requested that the City policy of no purchases from City Employees be waived and that he be authorized to purchase a 1/2-ton 1955 Chevrolet Pick-Up Truck from Mr. Warren L. Ayers for \$550.00. He stated that the same vehicle would cost \$800 if

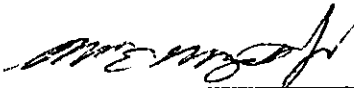
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purchased elsewhere. After discussion the Council concurred in waiving City Policy as set forth in Executive Order No. 10 dated July 29, 1955, regarding purchases from City Employees, on a motion by Councilman Laws and seconded by Councilman Fullbrook.

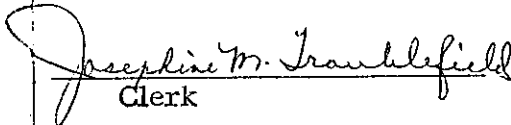
20. The regular meeting adjourned at 9:50 P.M. on a motion by Councilman Fullbrook and seconded by Councilman Laws.

Sept. 11, 1961

Date



President of The Council



Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, September 11, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of August 28, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Laws.
3. Mr. James Bailey, Attorney, appeared before the Council regarding McCrory Store assessment on Church Street property. He stated that under provisions of City Ordinance the date of September 15 was established as date interest at the rate of 6% would commence if assessment of property is not paid. He stated that he felt it unreasonable to require payment of interest on assessment of the Church Street property when the City is unable to give good title to the property, and his client is willing to pay the assessment when the City can give good title, and requested the Council to take action to suspend or abate the date of September 15, 1961 as date which assessment would draw interest and establish by resolution or action a subsequent date.

Mr. Victor Laws, City Solicitor, advised that he had met with Mayor McLernon and the Treasurer on this date regarding this matter. He stated that he hopes the deed from the State Roads Commission will be executed in the near future, and that he would recommend that Sections 4 and 5 of Ordinance No. 815 containing the September 15 date for interest be amended to provide that interest would commence to run after the City had received from the State Roads Commission record title for whatever property was to be deeded by State Roads Commission and the property owners advised by the City, which he estimated to be about 30 days or by about October 15. He also stated that Section 5 of the Ordinance provides authority by the Mayor to permit installment payment of assessment not to exceed ten years upon request in writing by anyone affected that payment in one lump sum would be a hardship. He proposed that this be amended so that a standard form of installment agreement be submitted in order that installments could be typed in by the Treasurer's Office. He advised that he hoped to have the standard form of agreement ready to present at the next regular meeting on the Council. Mayor McLernon stated that the request of Mr. Bailey was fair and reasonable and the Council concurred in amending Ordinance No. 815 as recommended by the City Solicitor. Mr. Bailey advised that it would be satisfactory if the amendment to Ordinance No. 815 were introduced at the next regular meeting providing the date interest would run would be changed.

4. Mr. Irvin Sullivan appeared before the Council in the matter of his water bills. He stated that after his meter was checked that the daily consumption of water dropped from 366 gals. per day to approximately 50 gals. per day. He stated that even with the small adjustment made on his bill he was not satisfied and wanted to go on record as protesting. After discussion the Council concurred in deferring action until a further study had been made by the Engineering Dept. and the Treasurer on a motion by Councilman Laws and seconded by Councilman Long. The Council advised Mr. Sullivan that he would be advised of their decision at a later date.

5. The City Solicitor presented quit claim deeds, provided for on passage of Ordinance No. 829, on 12 ft. alley on Doyer Street between Johnson and Vaden Streets - property of Benjamin F. and Mary E. Dye, also Robert T. and Audrey M. Dunn, to be executed by the Mayor. The Council authorized the quit claim deeds to be executed by Mayor McLernon on a motion by Councilman Laws and seconded by Councilman Martin.
6. The City Solicitor presented the contract for the purchase of the Lloyd Chandler property on West side of Lake Street. He presented a plat of the property and reviewed the terms and conditions of the contract. After discussion the Council authorized that the contract be executed by Mayor McLernon on a motion by Councilman Fullbrook and seconded by Councilman Long.
7. Mr. and Mrs. Ernest Wilkins appeared before the Council and inquired as to reason for delay in the construction of street at the location of a home they have recently built at Whittier Drive and Handy Street. They stated that they were about ready to move into the new house, and that the street is impassable. The City Engineer advised that Handy Street is the City's responsibility and that the street will have to be stabilized by the time Mr. Wilkins moves in, however, the developer, who is Mr. William M. Livingston has a responsibility. He stated that the subdivision was approved in 1959 and since then the City passed a resolution affecting utilities and development of streets in all areas of the City where streets are not now built or open to traffic that the developer is responsible for 100% of the cost of grading, stabilizing and draining of streets. Mr. Livingston was present and stated that this street was dedicated to the City a year in advance of the recording of this street and had been accepted prior to adoption of the resolution. The City Engineer advised that the street has never been brought to grade and has never been maintained by the City and according to the City's policy is the responsibility of the developer to grade and stabilize. After further discussion the Council requested the City Solicitor to check on the circumstances relating to the approval of the subdivision of this property and advise at the next regular meeting, on a motion by Councilman Fullbrook and seconded by Councilman Laws.
8. The City Solicitor presented a draft resolution granting variance from Building Code for issuance of building permits free of charge for fallout shelters. After discussion it was agreed that the wording relating to plumbing and building provisions be amended to provide for plumbing and building to conform to the City Codes.
9. Mr. Gilman, Planning Director, presented petition from Mrs. Fred. G. Bell for annexation of her property on Pemberton Drive, which is classified by the County Zoning Ordinance as an "Industrial Park," and which classification it was requested that the City accept; also requested was that the property be exempt from all City taxes until such time as a building permit is issued for an industrial plant. Mr. Gilman delineated the area on a map and advised that there were about 500 acres. He stated that Frenk and Jay have acquired the development rights of this property, and that they are developers of Industrial Parks, who have been promoting this land. After discussion the Council agreed to accept the petition on the basis of the request on a motion by Councilman Long and seconded by Councilman Fullbrook. The City Solicitor advised that there were some points of the law relating to the annexation of this property which he would like to study and would report on the matter to the Council at the next regular meeting.

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10. Mayor McLernon reported that six proposals had been sent out on the purchase of Roller Type Gate for Shumaker Pond, Contract 6-61-W, and that only one bid has been received as follows:

Armco Drainage and Metal Products, Inc., Baltimore, Md. \$2,435.00.

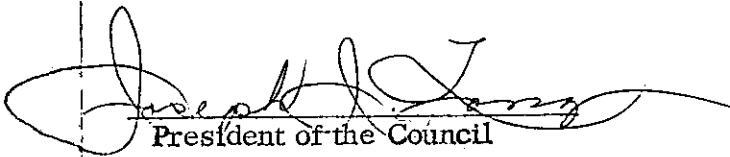
The Council concurred in authorizing award of contract 6-61-W in the amount of \$2,435.00 to Armco Drainage and Metal, which was recommended by the Department of Public Works, on a motion by Councilman Martin and seconded by Councilman Laws.

11. The Planning Director reviewed the survey and planning application for Urban Renewal Funds for Project No. 1. He read a draft resolution approving the application for Urban Renewal Survey and Planning Funds, and asked that no formal action be taken at this meeting, but that a special meeting be held on September 18, 1961 to review the proposed plan of reorganization of the Planning Office, approval of the application and opinion of the City Solicitor. After discussion the Council concurred in not meeting until the next regular meeting night, September 25, 1961, and that the meeting would begin at 7:00 P.M. one hour earlier than the usual opening time, in order to allow sufficient time for the Urban Renewal matter.

12. The meeting adjourned at 10:15 P.M. on a motion by Councilman Laws and seconded by Councilman Fullbrook.

Sept. 25, 1961

Date


President of the Council

Clerk

The Council of The City of Salisbury met in regular session at 8:00 P.M. at the City Hall, Monday, September 25, 1961. The following were present: Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

Councilman Long was named president pro tem in the absence of the President of the Council, Wm. E. Wyatt, Jr., on a motion by Councilman Laws and seconded by Councilman Martin.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the Minutes of the meeting of September 11, 1961 was dispensed with on a motion by Councilman Martin and seconded by Councilman Laws.
3. The Executive Secretary reported that request had been made by the City Manager of Pocomoke to borrow the City's old paint marking machine. After discussion the Council concurred in approval of loan of the City's old paint marking machine, as requested, on a motion by Councilman Laws and seconded by Councilman Martin.
4. The Executive Secretary reported that the County Commissioners request that the City install a new two-inch water main to the property line at the Court House without charge to serve new facilities which are being installed in the public restrooms at the Court House; also that the service not be metered. He stated that the County feels that this is a public service for which they are providing funds for renovating the old public restrooms, and all maintenance cost, and that the City should share in this facility by installing the two-inch water line, which would cost about \$170.00, and not meter the service. After discussion the Council concurred in approval of installing water line and not metering the service, as requested, on a motion by Councilman Martin and seconded by Councilman Laws.
5. The Executive Secretary reported that Mr. Albert Riall, who was recently the successful bidder for the purchase of the City's salvage property on Granby Street, requests the City to sell a portion of land on Granby Street to enable him to move the house to this lot. The City Engineer stated that this property is a residue of land purchased for right of way purposes and which was appraised at \$346.00, and tho* it was of no value to the City it was of value to Mr. Riall. The Executive Secretary stated that Mr. Riall had offered to pay \$50.00 for the land and advised that he was not willing to pay more. After discussion it was agreed that the matter be tabled for further consideration on a motion by Councilman Laws and seconded by Councilman Martin.
6. Mr. Thomas A. Craig, General Manager of the Peninsula Community Television Company, Inc., appeared to request consent of the Council to the reassignment by County Trust Company of Maryland and Small Business Administration to his company for its CATV franchise now held by County Trust Company of Maryland and Small Business Administration as security for their loan to his company. He explained that such loan was expected to be paid on or about September 30, 1961, as part of the acquisition of his company's parent company, the Peninsula Broadcasting Company, by WBOC, Inc., a subsidiary of the Sunpapers. He explained further that majority control of the stock of his company would pass to WBOC, Inc., at the same time. On motion by Councilman Fullbrook and seconded by Councilman Martin the Council gave its consent to the said reassignment of the said CATV franchise by County Trust of Maryland and Small Business Administration to Peninsula Community Television Company, Inc., and noted the expected transfer of majority stock ownership of the CATV company to WBOC, Inc.

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7. The City Solicitor presented a report on his findings from investigation of background of the Livingston property in relation to Mr. Livingston's request for the grading of Whittier Drive and Handy Avenue. He read Item No. 13 from the Minutes of the Meeting of the Council of February 3, 1958, Items 5 and 6 from the Minutes of the meeting of February 24, 1958 and Item 3 from the Minutes of the Meeting of March 9, 1959. He also read letter addressed to Mr. Livingston from the former City Solicitor, Mr. Harry H. Cropper, regarding receipt by the City of deed for the bed of Handy Street. Mr. Laws, City Solicitor, advised that he had discussed the matter with Mr. Livingston and had asked him whether the City or any authorized agent of the City had made any promises at the time the beds to these streets were conveyed, also whether he knew that the sewer was being installed for the benefit of Mr. Weisner, and that he, Mr. Livingston, would not have to pay for the sewer. He stated that Mr. Livingston advised him that he had not asked the City for anything and that he understood that the sewer was for the benefit of others, but that he supposed that the City would be responsible for grading and paving after they took title to streets; also that the new City policy was adopted after his subdivision had been approved and he believes that he should not have to pay. The City Solicitor stated that it is possible that had Mr. Livingston asked for some consideration that he would have been in a favorable position to receive a favorable answer for special treatment. However, since he admits he did not ask and was given no promise, he would say the City has no legal obligation to Mr. Livingston to grade and pave the street, but whether or not there is some moral obligation was a matter for the Council to decide. After much discussion the Council concurred in deferring action on the matter for more consideration.

8. Mr. Dale Adkins, Attorney, and Mr. Allen, President of the Allen Petroleum Company appeared. Mr. Adkins stated that he was not representing Mr. Allen officially, but was appearing because he was involved in the sale of the property to Mr. Allen, for a client, which was purchased for the Shell Station located at Wilson Street and Salisbury Blvd., on which Mr. Allen had received a letter on September 21, 1961 to cease and desist operation of bulk plant at this location. He related that Mr. Allen had taken a 30-day option on the property for which he had paid a nominal sum for the reason of finding out whether or not he could obtain a permit for what he wanted to build on the property. He stated that Mr. Allen reported that he had discussed the matter with Mr. Pettus, Building Inspector, and that there would be some delay, but later advised that he had secured building permit and the deal was closed on the sale of the property. He stated that the deal he had with Mr. Allen hinged on his clearing the matter of obtaining building permit from the City. Mr. Allen stated that the purchase of the property did depend on receipt of building permit from the City. He stated that plans for bulk plant and application were filed with the City on July 20, 1960, and at that time Mr. Pettus referred to the Zoning Map and found the property to be in a Commercial Area and stated that he did not feel he would have any problem, but asked him to wait until he had discussed it with the Fire Marshal. Mr. Allen stated that on July 22, 1960 he came back to see Mr. Pettus and was issued a permit to construct the bulk plant.

The City Solicitor reported that a meeting between himself, the Executive Secretary and the Building Inspector was held in regard to this matter and at that time original copy of the permit together with map were produced and had been gone over in detail. He stated that Mr. Pettus' statement was that he had seen Mr. Allen in Seaford and that Mr. Allen's position was that he had told him that it was a filling station and a bulk station, but that it had been over a year and that he did not recall any such conversation, but that it could have happened. The City Solicitor stated that the detailed plans are a standard Shell layout for underground tank and not labeled fuel oil and not shown as being loaded from a rack loaded from ground level, therefore, the

question might have occurred as to what it is going to be used for; also that the application does not say "Bulk Station" and refers to plans for service station attached.

The Executive Secretary reported that the Fire Marshal refused to issue Fire Permit when he discovered the bulk station, and that the cease and desist order was issued after the meeting with the City Solicitor, the Building Inspector and himself, at which time the Building Inspector was instructed to issue the order.

The City Solicitor stated that he would urge the Council not to withdraw the cease and desist order, as he thought it should be tested before the Board of Zoning Appeals to determine the City's position. Mr. Gilman, Planning Director, advised that the Board of Zoning Appeals is scheduled to meet on October 5 and if the notice could be in the office by tomorrow (Sept. 26) advertisement could appear in the newspaper in time for this meeting.

After much discussion the Council agreed that this was an unfortunate situation, but the cease and desist order would remain in effect, and that the matter be determined by the Board of Zoning Appeals, on a motion by Councilman Laws and seconded by Councilman Martin.

9. The City Solicitor presented legal opinion on proposed annexation of the Bell property. He stated there were two questions involved - the first problem was the State Law governing annexation ~~on~~ which permits annexation by cities, but power shall apply only to land which is contiguous and adjoining to the existing corporate area. He stated that it was his opinion that the Bell property is contiguous and adjoining to the existing corporate limits of the City. He stated that the second question was, can it be exempted from taxation? He advised that provision may be made for special treatment of the property in the area to be annexed, as to rates for municipal taxation for stated periods and under specific conditions. He stated that in his opinion the City has the power to establish the Bell property as a special taxing district, and to set special tax rates and exemptions provided such rates and exemptions are for stated periods and under specific conditions. He stated that he did not believe that total exemption of the Bell property from all City taxation, until the issuance of a permit for its improvement, would be justified; rather he felt that a sharply reduced rate of tax should be imposed for a specified number of years and with the provision that the low rate would stop if the property were improved during the period; also a provision could be added that all funds collected from the property by the City should be spent by the City in providing municipal services to the property annexed; and also that exemptions could be established for specific uses, if desired, but in such case, the exemptions must be under specific conditions and for stated periods. After discussion the Council concurred in deferring action on the matter to determine tax rates to be applied, on a motion by Councilman Laws and seconded by Councilman Fullbrook.

10. Ordinance No. 830 AN ORDINANCE OF THE CITY OF SALISBURY amending Ordinance No. 815 fixing net benefit assessments with regard to the relocation of West Church Street, so as to provide that such assessments shall bear interest from and after the date when the City shall have received and recorded a deed from the State of Maryland and the State Roads Commission of Maryland for their interest in the area between new U.S. Route 50 and the South side of West Church Street prior to its relocation, rather than from and after September 15, 1961; and approving a standard form of installment payment agreement for the payment of such net benefit assessments

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in installments by property owners affected thereby to whom payment in one lump sum would be a hardship, was introduced and duly passed for first reading on a motion by Councilman Fullbrook and seconded by Councilman Martin.

10. The City Solicitor requested that quit claim deeds to Robert Cannon and Lambert Oeder for Riverside Estates Street Bed be executed by the Mayor. The Council approved the execution of the quit claim deeds, as requested, on a motion by Councilman Martin and seconded by Councilman Fullbrook.

12. The City Solicitor presented the following revised Resolution relating to Fallout Shelters, which was adopted by the Council on a motion by Councilman Martin and seconded by Councilman Fullbrook:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY acting in its capacity as the Board of Adjustments and Appeals under Section 111, as amended, of the Building Code of The City of Salisbury (being Ordinance No. 787) that it is necessary and desirable, and in the public interest to encourage the construction by citizens of Salisbury, Maryland, of civil defense fallout shelters approved by the local civil defense director; and to that end a variance be, and hereby is, authorized and granted from the provisions of said Building Code in order that permits for fallout shelters to be constructed within The City of Salisbury shall be issued without charge or fee as required by the Building Code provisions.

13. The City Engineer presented a map of West Hazel Avenue and East Street showing property of Mrs. Irene Ewell, which he stated is needed for right of way. He stated that he had been in discussion with Mrs. Ewell and made a proposal which she had accepted - the proposal being she would receive ~~xxx~~ cost of curb, gutter and sidewalk in exchange for right of way, a share of the cost of curb gutter and sidewalk amounting to \$65.00, and she would have to pay as her share of curb and gutter \$42.00, as she does not want sidewalk placed because the house is so close to the street. He read a draft of a legal agreement setting forth the proposal to Mrs. Ewell. The City Solicitor advised that the agreement appeared to be satisfactory. After discussion the Council approved the proposal as set forth in the agreement for the exchange of right of way on a motion by Councilman Fullbrook and seconded by Councilman Laws.

14. The Council President pro tem Long read to Mr. Gilman, Planning Director, a statement directing Mr. Gilman henceforth to refrain from conducting meetings of the Planning Commission and to confine himself to acting as a consultant to said Commission when requested by it to render advice. Councilman Long explained that such statement was agreed upon at a joint dinner meeting earlier in the evening attended by the Mayor, the Council and the County Commissioners and was read at the request of the County Commissioners.

Mr. Gilman replied that he did not know what particular activities on his part had prompted the statement, and was somewhat puzzled by it because Mr. Grier, as Chairman of the Commission had always conducted the meetings. Mayor McLernon explained that he believed the statement was intended as an instruction to Mr. Gilman to refrain from attempting to make policy decisions or influence policy decisions of the Planning Commission, and was not directed at the formalities of the conduct of its proceedings. This explanation was concurred in by the Council, and Mr. Gilman said he would heed the instruction in the future, and explained that he had always

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made an effort to refrain from influencing or policy making in the past.

15. Mr. Gilman then reviewed in detail the proposed application for \$32,598.00 for planning and survey funds for proposed Urban Renewal Project No. 1, as follows:

Estimated Project Cost	\$ 959,000.00
Less Estimated Federal Government Grant to City	<u>412,000.00</u>

Balance	\$ 547,000.00
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Add paying cost not includable in project cost for Federal participation	<u>53,000.00</u>
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Estimated Total Cost To City	\$ 600,000.00
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Proposed financing by City: Revenue bond issue, twenty-year maturity, serviced by income from Urban Renewal Project No. 1 parking lot facilities only, without contribution from Parking District No. 1 facilities and without additional special assessment on downtown properties and businesses.

Estimated Timing: Probably six months to make survey of Project No. 1; twelve months allowed by Federal Government.

Detail of estimated survey and planning costs:

Administrative Salaries	\$ 6,000.00
Travel Expense	850.00
Legal Retainer	960.00
Fee to Outside Consultant for Survey and Planning Report	9,500.00
Soil Boring Tests	1,000.00
Land Surveys and Appraisals	3,800.00
Relocation Plan	500.00
	<u>\$ 22,600.00</u>

(Above to be spent between date of filing first application for survey and planning funds and date of filing application for Federal Grant - following to be spent between application for Grant and date of grant)

10% Contingency	\$ 2,200.00
Additional Administrative Salaries	1,500.00
Second Appraisals for Land Acquisitions	1,200.00
Title Examinations	4,400.00
	<u>\$ 31,900.00</u>

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Basis for administrative salaries: Estimate of 30% of time of Mr. Gilman, one secretary, and assistant planner for one year.

Annual administrative cost to the City: Estimated at approximately \$17,200.00, of which \$5,200.00 would be covered by the survey and planning grant, leaving a balance of out-of-pocket net cost to the City for first year of \$12,000.00 for administrative salaries.

Councilman Long asked whether the above net City's administrative cost figures were correct. Mr. Gilman said they were except that the City would recover part or all of its \$12,000 cost from the Federal Grants for the second and third urban renewal projects. Mr. Long inquired what would happen if no second or third projects were started - if the City wouldn't be out the \$12,000. Mr. Gilman said this would not happen because if no other projects were started, he would cut back his administrative staff because they would not have work to do. Councilman Long persisted, saying that if the second and third projects did not start, and if Mr. Gilman did not cut back the staff, then wouldn't the City be out its \$12,000. Mr. Gilman said, yes, it would, if those things happened, but they wouldn't happen.

Mr. Gilman explained that he was now engaged on the second program of planning for the City and County financed by a \$25,000.00 grant to the County from the State of Maryland which the County was dividing with the City. He said the deadline set by the County for this second program was June 1, 1962, but he expected to complete the County's second program planning work by the end of February, 1962.

Councilman Laws asked what the City's Budget in 1961 for the Planning Office was. The figure was found to be \$20,880.00, of which one-half would be paid by the County, making the City's 1961 planning cost \$10,440.00. Mr. Gilman remarked that this covered about 15% of his salary, the Planning Office rent, local help hired in that office and other administrative costs.

Mr. Gilman's recommendations were (1) direct the Planning Office to complete the second program of joint - City-County planning early in 1962, and (2) continue the Planning Office in existence for one or two more years to get its plans adopted by the Planning Commission.

Mr. Gilman presented his "Estimated Budget for a Joint City- County Planning Program" for the Year 1962 in the form attached and the same was discussed in detail. The Council noted that the County Commissioners at the dinner meeting had agreed to appropriate the item of \$3,301.00 shown as the amount to be appropriated by the County in its next budget, and Mayor McLernon noted that on this basis the total cost of the program to the City for the Year 1962 would be \$8,051.00 certain, and \$5,000.00 contingency fund which might not be used. Councilman Long remarked that the cost would be greater if a second and third project did not get started and the Planning Office staff continued at full level. There was general agreement that this was possible, but it was felt that it was not likely to happen. Mr. Gilman concluded by discussing the salaries shown on page 2 of his budget and explained that the two columns should be added together to produce the total payments as follows:

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(a) Director of Planning and Urban Renewal (Gilman)	\$ 11,500.00
(b) Planning Abalyst	6,600.00
(c) Draftsman	3,110.00
(d) Secretary	2,704.00
(e) Part-Time Help	<u>1,500.00</u>
Total	\$ 25,414.00

16. The Regular meeting of the Council adjourned at 11:00 P.M. on motion by Councilman Laws and seconded by Council Martin.

EXECUTIVE SESSION

Immediately following adjournment of the regular session the Council convened in an executive session, for which Mr. Victor Laws, City Solicitor was requested to remain.)

The Urban Renewal proposal was discussed in general and the general feeling expressed by Councilmen Martin, Laws and Fullbrook was that the urban renewal was the trend of the times, was desired by the public, and was generally beneficial to the community and its citizens. Mayor McLernon concurred.)

Mr. Victor Laws, City Solicitor, pointed out that Mr. Gilman was preparing the establishment of a new City Department of Urban Renewal to be headed by himself as Director and said that under the Charter this was certainly one possible and workable method of carrying out the City's urban renewal powers in regard to proposed Project No. 1. He said that an alternative way to do it was to enter into a contract at a fixed price with some firm or person, possibly Mr. Gilman, to administer the project for the City on a contract basis. He said this might cost more or less than the cost of running a department, but would be a fixed cost, and would protect the City against the risk that the project would be delayed by Court cases or other unforeseen problems which would run up the cost of an Urban Renewal Department.)

The contract possibility was thoroughly explored, and the consensus was that it would possibly be more expensive than running a City department, and it was worthwhile for the City to take the risk of delay in the project because Mr. Gilman had said that he would cut back the staff of the department if the project were delayed.)

At 11:30 P.M., following another general discussion of the project, the executive session adjourned.)

Oct. 9, 1961
Date

MEMBER
President of The Council

Josephine M. Traubfield
Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, October 9, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the Minutes of the Meeting of September 25, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Fullbrook.
3. Mr. Albert Riall appeared in the matter of purchasing a triangular shaped piece of property, 35 ft. at the base extending 59 ft., being residue of property purchased by the City for right of way on Granby Street, and which was appraised by Mr. Vic Stevens, Realtor, at \$346.00. Mr. Riall stated that he needs the property to place the house on which he recently purchased from the City, and if he does not get the property the back of the house will have to face the new street coming through, which will be unsightly, and he would be willing to pay \$200.00 for the property. After discussion the Council concurred in selling the property to Mr. Riall for a cost of 75% of the appraised value - \$260.00, as was done in the most recent sale of City property, on a motion by Councilman Long and seconded by Councilman Laws.
4. The City Engineer reported that bids had been received on Contract T-2-61 for Traffic Signal Controllers this date as follows:

Central Electrical Supply Co., (bidding on Automatic Signal)	\$ 11,257.00
Graybar Electric Co. " " Crouse-Hinds	18,222.00
Artcraft Ekectric Supply Co. " " " "	18,449.93

He recommended that award be made to the low bidder, Central Electrical Supply Co. After discussion the Council concurred in awarding Contract T-2-61 to Central Electrical Supply Co., in the amount of \$11,257.00, on a motion by Councilman Laws and seconded by Councilman Martin.

5. The City Engineer reported that bids had been received on Contract 8-61-W for Cathodic Protection for the Elevated Water Storage Tanks as follows:

	Items 1, 2, & 3	Alternate Items 1, 2, & 4
Electro Rust-Proofing (Wallace & Tiernan)	\$ 4,076.00	\$ 3,936.00
Stuart Steel Protection	4,200.00	4,100.00
J. A. Simpson Co.	4,460.00	4,310.00

He explained that the difference in the alternate item and the necessity for the cathodic protection of the tanks. After discussion the Council concurred in tabling the matter for the time being.

6. Mr. Fred Myers of The Humane Society of The United States appeared and discussed City-County Animal Shelter program. In this connection there were present: Mr. Ralph Dulany, member of the County Commissioners, Mrs. Francis Pentz, Mr. John Jacob and Mrs. Cullen of the Shore Animal Shelter, and Mr. Philip Colwell, Director for Affiliates for Humane Society of the United States. Mr. Myers stated that as a result of an elementary

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survey in the County and City, it was felt that both the City and County could save money and provide a better service to the citizens, and more humane service to animals, involved, than the service now available, by entering into an agreement underwritten by the National Humane Society. He presented copies of a letter written to the County Commissioners, dated August 30, 1961, after his meeting with the County Commissioners, together with copies of agreement with the three Southern Maryland Counties, and a list of suggested minimum standards in the operation of a public animal shelter. He stated that the facilities the County and City now have for impounding and the care of animals is considerably below the standard of cities of comparable size in Maryland.

Mr. Jacob inquired as to whether it was the idea to limit the program to Wicomico County as a City-County program rather than bring in adjoining counties. Mr. Myers stated that he had contemplated that wider territory might be considered, but had refrained from suggesting it because if the Council is interested enough to ask that a technical survey be made, he would endeavor to determine what would be the most economical unit to be considered, however, at the very minimum he would suggest that the City should not try to maintain such a facility if the County can be induced to come in.

Mayor McLernon inquired as to whether the County had made any special request as to their willingness to have a survey made. Mr. Dulany advised that the County had intended to discuss the matter with the City.

Mr. Myers stated that it was his hope that the City will decide to initiate the program and ask to have several highly experienced staff members in to do the survey and determine basically what size shelter is needed, which they would be happy to do with no charge or obligation to the City. Councilman Fullbrook stated that he would much prefer that a workable plan for City-County program be prepared before a survey is made, that unless there is a workable plan for City-County cooperation the survey is of no benefit. Mr. Myers advised that with the type of survey proposed it would be very easy to draft some kind of contract.

Mayor McLernon asked whether Mr. Myers was familiar with regulations regarding rabies inoculation. Mr. Myers stated he was and that they concur in enforcement of law, though they do have some reservations as to administering rabies inoculation, also that without very good dog control law the inoculation is practically wasting peoples money. Mr. Dulany raised the question as to whether total control of licensing, picking up dogs, and everything now carried on by the County and City, would be taken over by the Humane Society. Mr. Myers stated they would be willing if that is desired, or they would leave under the control of the County the collection of license fees or enforcement of law.

Mr. Myers stated that they have recently entered into agreement with three Southern Maryland Counties and that the Commissioners of the three counties have built a new shelter costing approximately \$80,000, however, he believed the same shelter could be built for \$62,000 in this County, and perhaps a little less - about \$55,000. Mr. Myers invited anyone interested to drive to Southern Maryland and see what is being done by this service initiated by the Commissioners of the three counties. After further discussion Mr. Jacob raised the question as to whether it was in order to request that the Council request the survey be made by the Humane Society subject to concurrence of County Commissioners. The Council concurred in requesting Mr. Myers to make the survey, subject to concurrence of County Commissioners.

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on a motion by Councilman Long and seconded by Councilman Martin.

Mr. Dulany requested that the Council suggest a date and time at which the Council and the County Commissioners could get together to discuss the matter.

7. The City Engineer reported that bids had been received on Contract T-1-61 - Vehicle Signals for Signal Installation on Routes 13 and 50 as follows:

Artcraft Electric Supply XCo.	\$ 4,893.60
Graybar Electric Co.	4,896.73
Central Electrical Supply	5,380.60

He recommended that the low bid of Artcraft Electric Supply Co. be accepted. The Council concurred in awarding contract to Artcraft Electric Supply Co. in the amount of \$4,893.60, on a motion by Councilman Martin and seconded by Councilman Laws.

8. The Treasurer requested that he be authorized to transfer \$15,000 residue of funds in the 1960 Bond Issue for Shumaker Dam Flood Gates to the Traffic Signal Account in the 1960 Bond Issue, which is now overspent. After discussion the Council concurred in authorizing that the \$15,000 residue of funds be transferred, as requested, on a motion by Councilman Fullbrook and seconded by Councilman Martin.

9. The City Engineer reported that at a previous meeting he had reported to the Council the necessity of construction of 46 vehicle detector blockouts for Route 50 Signalization, which would cost \$80.00 each to be done by George and Lynch. He stated that he had considered doing this work with City forces, but had concluded it could best be done by the contractor and after discussing the matter with the Purchasing Agent had given notice to proceed with the project. He stated that the work has now been completed and for the purpose of this transaction being spread upon the Minutes he requested Council approval. After discussion the Council concurred in approval of the construction of 46 vehicle detector blockouts in the total amount of \$3,680.00, on an emergency basis, on a motion by Councilman Martin and seconded by Councilman Fullbrook.

10. The City Engineer reported that about 5 ft. one side and 6 ft. on the other side of Naylor Street between Grace and William Street is needed for right of way and requested Council approval of an exchange of curb and gutter and a piece of sidewalk approximately 10 ft. for the right of way needed. After discussion the Council concurred in approval of an exchange of curb, gutter and the piece of sidewalk for the right of way, as outlined, on a motion by Councilman Martin and seconded by Councilman Laws.

11. The City Engineer reported on the status of the Waverly Project. He stated that another attempt was being made to negotiate for the property owned by Mrs. Ent at the Corner of Havel Avenue and East Street. He stated that her husband had suggested a figure of \$1,500. without her authority, and that in conversation with Mrs. Ent today she had stated that she would honor her husband's proposal of \$1,500 if the City would provide curb and gutter, which would cost approximately \$170., making the City pay a total of \$1,670 for a piece of land which is needed very badly. He stated that he had discussed the matter with Mayor McLernon, who

recommended that an offer of \$1,500 be made and that she pay cost of curb and gutter, and if she is not agreeable, then the City will enter condemnation. After discussion the Council concurred that an offer of \$1,500 with no exceptions be made and if not accepted that condemnation proceedings be instituted, on a motion by Councilman Fullbrook and seconded by Councilman Laws. Councilmen Long and Martin voted in the negative, the President of the Council cast an affirmative vote breaking the tie vote and the motion was duly carried.

12. Mr. Brittingham, Treasurer and Mr. Pettus, Building Inspector reported in the matter of vacant property on Pemberton Road owned by the City. Councilman Laws inquired as to the rental being six months in arrears when the tenant moved out. Mayor McLernon inquired as to whether there might be some interest in someone purchasing the house and moving it. The Building Inspector advised he felt that there would be some interest if the City offered the house for sale. Mayor McLernon stated that if the Council concurred, he would recommend that the house be advertised for salvage sale. The Council agreed that this be done.

13. The City Solicitor reported on taxes now levied by the County on the Bell property on which petition was recently received for annexation to the City. He stated that the tax assessment of the Bell Property was \$28,449 and the total County and State Taxes are \$581.91; also if the property had been annexed in 1961 the City taxes would have been \$350.00. He stated that the matter for decision was what basis, if any, the City would take the property into the City, what tax abatement would be granted to this property for a certain period. After discussion the Council concurred in establishing the tax rebate to be one-third of the tax rate for a period of five years, the rebate to end if sold or property improved during that period, on a motion by Councilman Martin and seconded by Councilman Laws.

14. Ordinance No. 830 --AN ORDINANCE OF THE CITY OF SALISBURY amending Ordinance No. 815 fixing net benefit assessments with regard to the relocation of West Church Street, so as to provide that such assessments shall bear interest from and after the date when the City shall have received and recorded a deed from the State of Maryland and the State Roads Commission of Maryland for their interest in the area between new U.S. Route 50 and the South side of West Church Street prior to its relocation, rather than from and after September 15, 1961; and approving a standard form of installment payment agreement for the payment of such net benefit assessments in installments by property owners affected thereby to whom payment in one lump sum would be a hardship, was duly passed for second and final reading on a motion by Councilman Fullbrook and seconded by Councilman Long.

15. The City Engineer presented an agreement with State of Maryland and Urban Services Commission regarding River Road Sewer and requested that Mayor McLernon be authorized to execute same. He explained the agreement and recommended that it be executed on behalf of the City. After discussion the Council concurred in authorizing that the agreement be executed by Mayor McLernon on a motion by Councilman Martin and seconded by Councilman Laws.

In this matter, the Council requested that copies of the agreement between The City and the Urban Services Commission be furnished to the members of the Council.

16. The City Solicitor reviewed legal opinion relating to survey and planning application for Urban Renewal consisting of 65 questions.

17. Mr. Gilman, Planning Director, presented draft of Resolution approving survey and planning application for Urban Renewal Project No. 1 and advised that another paragraph is to be added as required by the Federal Government, and would be presented at a later meeting.

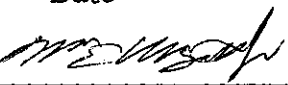
18. Ordinance No. 831 AN ORDINANCE OF THE CITY OF SALISBURY establishing a new department of Urban Renewal was introduced.

Councilman Long read a prepared statement setting forth his reasons for opposing the establishing of a new department at this time and stated that he would vote in the negative. The President of the Council asked whether there was really any reason why the department should be set up at this time. Mr. Gilman replied that if the application is approved the work will start immediately and that he would recommend setting up the department as there is no one else the Federal Government would recognize to take on Urban Renewal. Councilman Fullbrook inquired as to whether it was an urban renewal requirement that the program be administered by a man who knows urban renewal, and will they determine whether or not the man is qualified to administer. Mr. Gilman replied that he had submitted a set of qualifications and signed a contract. Councilman Laws stated that he felt the executive session held following adjournment of the last regular meeting regarding urban renewal was very informative, but that he was surprised to see the item on the agenda for this meeting, as he thought more time would be given to the matter. After much discussion the Council concurred in tabling the matter for a future meeting on a motion by Councilman Laws and seconded by Councilman Martin.

19. Mayor McLernon stated that the Executive Secretary had advised him that it was necessary to have a meeting with the Council to discuss the proposed Budget for 1962. After discussion it was agreed that there would be a special meeting of the Council to discuss the proposed Budget for 1962 on Monday, October 16, 1961 at 8:00 P.M.

20. The meeting adjourned at 11:30 P.M. on a motion by Councilman Long and seconded by Councilman Martin.

Oct. 23, 1961
Date


President of The Council

Josephine M. Frankfield
Clerk

come out of the general budget, and the only protection we have against that is Mr. Gilman's statement that he would cut back the staff of the department if that happened. I am sure he has good intentions of doing that, but my experience is that departments grow in size instead of being cut back. It's easy to set up departments, but it's hard to cut them back after they get established.

I believe we should find a way to handle our first project with our existing City employees and Planning Commission Employees, at least until we get the first project approved, and if we need outside help or experts - hire them on a contract basis on competitive bids.

For these reasons I will vote against the new department at this time."

J. J. L.

CITY OF SALISBURY - COUNCIL MEETING

CITY HALL

SALISBURY, MARYLAND

OCTOBER 23, 1961

The Council of the City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, October 23, 1961. The following were present: President of the Council, Wm. E. Wyatt, Jr.; Councilmen, Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating the Lord's Prayer.
2. The reading of the Minutes of the Meeting of October 9, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Laws.
3. Mr. James P. Bailey, Attorney for the Board of Education appeared before the Council stating that as a result of the relocation of William Street in the rear of the Wicomico Junior High School, at the corner of the intersection of E. William Street and Davis Street, there is a very small triangular piece of land that has been left, which is of no use to anyone except to the Board of Education, to be included in the playing field of the Junior High School. He stated the Board would like to acquire the piece of land by appropriate deed from the City, if it meets with Council approval. Mayor McLernon said he felt this a very reasonable request, and the President of the Council advised Mr. Bailey the Council would look into the matter further and advise him of their decision.
4. Mr. Perkins presented bids received on police cars, the lowest being \$3,980.00 four (4) cars from Oliphant Chevrolet Company; the only other bid being from Cavanaugh Motors for \$4,500.00. A discussion was held regarding an offer from Oliphant Chevrolet Company to replace cars annually, but Councilman Fullbrook did not feel the offer as presented was a good one from a financial viewpoint, and it was decided no such commitment should be made. Upon motion by Councilman Martin, seconded by Councilman Fullbrook and duly carried, it was moved that the bid of Oliphant Chevrolet Company for \$3,980.00 be accepted.
5. Mr. Perkins, on behalf of Chief Taylor, presented applications for employment of James Henry Brinson, Wayne Norman Lloyd and Norwood William Beauchamp. Two of the men are to be hired as firemen and the third is replacing an employee who resigned. Upon motion of Councilman Long, seconded by Councilman Martin, and duly carried it was moved that these three men be hired.
6. Mr. Perkins, on behalf of the City Engineer, presented a request for transfer of personnel as follows:

<u>Transfer</u>	<u>From</u>	<u>To</u>
William Dorman) Clayton Wilson)	Sewer Service Crew Account No. 13.201 (b)	Water Service Crew Account No. 20.213
James Hutt) William Dale)	Water Service Crew Account No. 20.213	Sewer Service Crew Account No. 13.201(b)

He explained these transfers involved only change in responsibility. Upon motion by Councilman Long, seconded by Councilman Martin and duly carried, the transfer of these four men was approved.

7. Mr. Perkins, on behalf of the Assistant City Engineer, presented a recommendation from Mr. Messick for the employment of Darryl L. Hearn as an Engineer's Aide to fill the vacancy created by the recent resignation of Bob Reed. Upon motion by Councilman Long, seconded by Councilman Laws and duly carried, the employment of Darryl L. Hearn was approved.
8. Mr. Perkins advised the Council that Moore's Wholesale Builders Supply, Inc. had been instructed to install a sprinkler system in their building, and upon investigation it had been discovered that the pressure of the water in the vicinity was too low and instead of the present 8-inch water main a 12-inch water main would be needed. Under Council policy, the firm would pay \$2,000.00 and City \$3,000.00. He said the firm had requested that the City pay the entire cost, but he would recommend that the firm pay its share. After discussion it was moved by Councilman Long, seconded by Councilman Martin and duly carried that City policy be followed and the firm instructed accordingly.
9. Mr. Bailey reported to the Council that under zoning regulations of corner setback lines, the Board of Education is in technical violation because of cyclone fences erected on school property (to keep playground equipment from going out in the streets). He stated the Board is willing to comply with regulations but felt in this case the regulations are somewhat stringent. He explained the cyclone fences did not obstruct sight at corners and for this reason felt they were not traffic hazards. A discussion was held and it was the general feeling, upon Mr. Victor Laws' recommendation, that some thought be given to the possibility of granting variances for obstructions that violate the Ordinance but do not actually interfere with sight lines. Mr. Laws felt such variances could be recommended by the Council to the Board of Zoning Appeals. Mr. Bailey was advised the matter would be given further consideration by the Council.
10. Mr. Laws brought before the Council the recent request for annexation of the Bell property. It was agreed that a public hearing on this request be held on December 4, 1961 at 8:00 P.M. in the Council Chamber.
11. Mr. Laws presented copies of his legal opinion in final form on the application for funds for the Survey and Planning grant in connection with Urban Renewal. He said the opinion had been presented in draft form at the last meeting and having been discussed at that time he saw no need to review it unless there were some questions. Mayor McLernon stated he would like the resolution authorizing the Mayor to apply for a grant for Federal Aid eliminating the creation of a Department on Urban Renewal, passed at this time. Mr. Laws advised the requirement of the Charter is that the City itself implement its urban renewal program and that existing officials and departments have sufficient authority for such implementation. Mr. Laws then read the resolution and upon motion by Councilman Martin, seconded by Councilman Laws and duly carried, the resolution was adopted.

12. The President of the Council then suggested the creation of an Economic Development Committee to consist perhaps of a realtor, a lawyer, a representative of a local bank, a builder, members of the Chamber of Commerce, the Junior Chamber of Commerce, the City Government and the County Government, and representatives of a utility company and a local industry. These men, he said, would be prepared to investigate any possibility of industry desiring to locate in this area and answer any questions a potential industry for this area might have. He cited recent developments in Cambridge and noted conditions there were desperate before action was taken, and he felt Salisbury should not wait until they were in the same position. He suggested that money might be raised by holding a fund-raising \$25.00 a-plate dinner and a one-cent raise in taxes, the money to be used to pay expenses of committee members incurred by travel to interview prospective industries. He added he felt personal contact was vitally important, and the members concurred wholeheartedly.

Mr. Wyatt said he felt such an undertaking would be well received by members of the County Government and they would be willing to participate in such a project. He added he felt the newspapers, radio stations and television station would also support it.

Mr. John Hess, who was present representing the Junior Chamber of Commerce, stated he was attending the Council meeting to offer the services of the "Jaycees" in any way they might be useful, and endorsed the creation of such a committee.

After further discussion and a suggestion for a special meeting to create such a committee by Councilman Fullbrook, it was moved by Councilman Laws, seconded by Councilman Martin and duly carried that an Industrial Development meeting be held on Monday evening, October 30, 1961.

13. The meeting was adjourned at 9:00 P.M. on a motion by Councilman Long, seconded by Councilman Laws and duly carried.

Nov. 13, 1961
Date

President of The Council

Clerk

Monday, October 23, 1961

Executive Session:

In attendance were Councilmen Martin, Laws, Wyatt and Long; Mayor McLernon, Executive Secretary William M. Perkins, Director of Planning James Gilman. Mr. Gilman explained his proposed budget and how he thought the problem of Urban Renewal should be handled. The Council concurred with Mr. Gilman's recommendations that a resolution be passed permitting the Mayor to submit the Urban Renewal application for Federal assistance and also authorized the Mayor by Executive Order to direct Mr. Gilman to carry out Urban Renewal activities.

Also in executive session a motion was made by Councilman Long and seconded by Councilman Martin approving the execution of a deed from City of Salisbury, a municipal corporation of the State of Maryland to Philip W. Harrison.

The proposed annexation of the Bell property was discussed. Mr. Jay told the Executive Secretary and Director of Planning that he was very much hurt that the annexation did not go through as they petitioned. City Solicitor informed Council that it was his opinion that full abatement of taxes could not be granted. After some discussion, Councilman Martin made a motion that the Bell property be exempt from all City taxes until first building permit is issued, or for five (5) years. The original Ordinance was amended and accepted for first reading. Public hearing to be held December 4, 1961 at 8:00 P.M. City Hall.

Also discussed in executive session was problem of obstructions at intersections. Mr. Laws stated that Dr. Fisher gave him a severe tongue lashing when he received his second notice from the Sheriff's office. Mr. Laws feels he is being singled out and would like to know what to do on future cases. After some discussion, it was agreed that Mr. Pettus would notify all property owners in advance of sending out Court Orders. Mr. Laws said he has three (3) cases prepared and there were about six (6) more hazardous cases. It was also decided that a committee of Police Chief, City Solicitor and Building Inspector be formed to consider and inspect all future cases. Mr. Pettus stated that the Ordinance penalized some people because it says from property line and should be from curb line. Mr. Fullbrook asked the City Solicitor to check and see if the Ordinance can be amended.

Date

President of The Council

Clerk

The Council of The City of Salisbury met in special session in the Treasurer's Office, City Hall, at 9:00 P.M., Monday, November 6, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Richard M. Laws, and W. Paul Martin, Jr., also present was Mayor Boyd E. McLernon.

1. Mr. Perkins, Executive Secretary, requested Council approval of award of bid to the Low bidder, Electro-Rust-Proofing Co., in the amount of \$4,076, for Items 1, 2, and 3, Plan "A" on Contract No. 8-61-W for Cathodic Protection of the Elevated Water Storage Tanks. He stated that the three bids, as listed below, had been presented to the Council for approval at their meeting of October 9, 1961 and action had been deferred at that meeting.

	Items 1, 2, & 3	Alternate Items 1, 2, & 4
Electro Rust-Proofing Co., (Wallace & Tiernan)	\$ 4,076.00	\$ 3,936.00
Stuart Steel Protection	4,200.00	4,100.00
J. A. Simpson Co.	4,460.00	4,310.00

After discussion the Council concurred in the award of Contract No. 8-61-W to the low bidder, Electro Rust-Proofing Co. in the amount of \$4,076.00, as recommended on a motion by Councilman Fullbrook and seconded by Councilman Martin.

2. The meeting adjourned at 9:30 P.M. on a motion by Councilman Laws and seconded by Councilman Martin.

Nov. 27, 1961
Date

Wm. E. Wyatt, Jr.
President of The Council

Josephine M. Lambfield
Clerk

The Council of The City of Salisbury met in regular session at 8:00 P.M. at the City Hall, Monday, November 13, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of October 23, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.

Building

3. Mrs. Anny Godsey appeared before the Council requesting variance from ~~ZONING~~ Code to permit construction of a canopy type awning with supports in the sidewalk area at her place of business on East Main Street and Poplar Hill Avenue. She stated that a permit to erect the awning had been denied by the Building Inspector. After discussion the Council requested the Building Inspector to work with Mrs. Godsey in the matter and report back to the Council and advised Mrs. Godsey that the matter would be discussed with the City Solicitor and she would be advised.

4. Mr. John L. Reynolds and Mr. Wallbeck of the Corps of Army Engineers appeared before the Council in the matter of maintenance dredging in the Wicomico River. Mr. Reynolds stated that the purpose of the visit was to alert the Council and review the work done in the past in an effort to get the project underway. He stated that it was necessary to secure releases for clearances for disposal areas needed; also that the project will involve Wicomico County and Somerset County and that there will be some dredging in Mt. Vernon where there are considerable oyster beds and releases will be necessary as the Army Engineers will not be responsible for any damage to oyster beds. He stated that the last time the channel was dredged was in 1949 and that Mr. F. L. Insley, Harbormaster, aided in contacting individuals and securing releases and he suggested that Mr. Insley be contacted and his advice and help be sought, as he is familiar with the problems of the work and in a position to advise and aid in getting the necessary clearances for disposal areas needed. Mayor McLernon expressed appreciation to Mr. Reynolds and Mr. Wallbeck for their visit and advised that they would hear from the City regarding the matter.

5. The Executive Secretary reported that two bids were received on the City property on Pemberton Drive which was advertised for salvage sale -

Basic Materials Supply Co., -	\$700.00 to demolish building
Hannaman-Burroughs Co.,	\$790.00 to demolish building

Mr. Perkins stated that since no bids were received for the purchase and removal of the old dwelling it was his recommendation that the building be burned under the supervision of the Fire Chief. Council authorized that the two bids be rejected and the building be burned by the Fire Dept., as recommended, on a motion by Councilman Laws and seconded by Councilman Martin.

6. Mr. Gilman, Planning Director, presented subdivision plat of the Frank W. Coulbourn property on Pinehurst Avenue and recommended approval. After discussion the Council concurred in approval of the subdivision as requested on a motion by Councilman Laws and seconded by Councilman Martin.

Minutes of Meeting of November 13, 1961

7. Mr. Perkins, Executive Secretary, present matter of request for relief of apparent excessive charges on water bills by Mr. Irvin Sullivan, Mrs. Edith Dayton and Mrs. Peter Linnett. After discussion the Council concurred in denying requests for relief on water bills on a motion by Councilman Fullbrook and seconded by Councilman Laws.

8. Mr. Robert Allen of Allen Petroleum Company accompanied by Mr. Jack Webb, Attorney, appeared before the Council in the matter of the decision of the Board of Zoning Appeals regarding operation of bulk station at the Shell Station on Salisbury Blvd. at Wilson Street.

Mr. Victor H. Laws, City Solicitor, reported that he had attended a meeting of the Board of Zoning Appeals concerning this matter, which lasted about three hours, at which Mr. Webb produced two witnesses on behalf of Mr. Allen and the City produced four witnesses. He also stated that he felt the hearing was very full and fairly conducted, and that the Board had voted two to one to grant a variance which Mr. Allen requested for continuance of his bulk station facilities in rear of his property. Mr. Laws advised that the Zoning Code provides that 30 days after entry of the order that any department head or official of the City may enter appeal from the order in the Court, and that the decision to be reached at this time is whether the Council desires the matter to be taken to Court for an appeal from the Board's decision. He asked for a statement in the matter by the Executive Secretary and the Building Inspector.

Mr. Perkins, Executive Secretary, stated that he had discussed the matter with Mayor McLernon and it was felt that the matter should not be taken to Court and that the decision of the Board of Zoning Appeals be accepted.

Mayor McLernon stated that it was felt that there were grounds for an appeal, but since there had been a mistake made it was felt that this should serve as a lesson and guide to prevent making future mistakes of like nature.

The City Solicitor stated that he was a little surprised at this decision, as the last time he discussed the matter with the Executive Secretary and the Building Inspector it was his strong impression that an appeal would be taken in the matter, however, he certainly would go along with the decision.

Councilman Martin raised the question as to justification for denial to next applicant for a bulk station if an exception is made in this case. Mr. Webb stated that he did not feel an exception was being made, that as far as the law is concerned the next time it would be that nothing had been done and would not be permitted, and that Mr. Allen had made substantial investment before the mistake had been discovered. Mr. Gilman, Planning Director, advised that the entire hearing was recorded on tape and should the Council desire to hear the recording before making decision he would be glad to arrange a play-back of the tape. After further discussion the Council concurred in accepting the decision of the Board of Zoning Appeals in the matter on the basis that an error had been made, on motion by Councilman Laws and seconded by Councilman Long.

Mr. Allen requested to go on record as commending the Building Inspector for his conduct in the matter and admitting his mistake.

9. The President of the Council inquired about a ditch on William Street which people are trying to get filled. The City Engineer stated that he had written to five people and had received permission to fill the ditch, which he planned to do this winter with City forces.

Minutes of Meeting of November 13, 1961

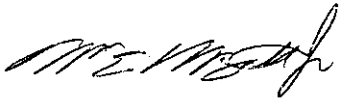
He stated that the City had used the ditch as a drainage ditch and felt that the City had some responsibility in filling it.

10. Mr. Gilman, Planning Director, stated that at 7:00 O'Clock, prior to the regular meeting of the Council, Mr. A.L. Fleming of the Mayor's Advisory Committee on Urban Renewal, had made a presentation of proposed Urban Renewal Project No. 2, and that for the benefit of those who were not present he would briefly review the proposed project. He delineated the proposed project from a map which involved all land from West Main Street between the River up to Pennsylvania Avenue. He stated that this was not the worst nor most blighted area in the community, but that this area has had substantial public improvements in the last few years which would count as a credit to the City, and which would expire in July 1962 if the City is not in a position to take on the project, and stated that it would be necessary to have a contract with the Government. He stated that the Committee felt that it was an area in which Urban Renewal should be done and advantage taken of the money already spent in the area. He recommended that authority to proceed as rapidly as possible to prepare planning and survey application be given by the Council. After discussion the Council authorized that survey and planning application be prepared for Urban Renewal Project No. 2, as recommended, on a motion by Councilman Martin and seconded by Councilman Laws.

11. The regular meeting adjourned at 9:15 P.M. on a motion by Councilman Long and seconded by Councilman Laws.

Nov. 27, 1961

Date



President of The Council

Josephine M. Troublefield

Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P. M., Monday, November 27, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of November 13, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Fullbrook.
3. The City Engineer presented matter of parking on Route 13. He stated that a traffic signal is being installed at South Blvd. (the Kendall St. Project), which anticipates left minor movement controls, and the same at North Blvd. and Route 13. He stated that in order to continue installations and start activating the signals it is necessary to remove the present centerline and put in a new line on Route 13, which Mr. Skirven of the State Roads Commission had agreed to do. He explained the necessity for removing parking on Route 13 from Hazel Avenue to Lloyd Street and requested Council to authorize the ban on parking on Route 13 be extended to one block South of South Blvd. He stated it was impossible to activate the signals without using the entire width of Route 13, and by eliminating the parking there would be two lanes of flowing traffic in North and South direction with a left turn lane into both North and South Bldgs., and the space now being taken for parking would permit left lane traffic to get into position to make left turns. After discussion the Council concurred in deferring action on the matter until a visit to the area by them can be made.
4. Mr. James Bailey, Attorney, appeared before the Council and requested that the Mayor be authorized to execute deeds for old Church Street property conveying property to his clients The Benjamin Company and McCrory Company. The City Solicitor advised that the execution of the deeds was the last scheduled item on the agenda for this meeting and requested that the matter be delayed, if agreeable to Mr. Bailey, and that he would deliver the executed deeds to Mr. Bailey.
5. The City Engineer advised that two informal bids had been received for a small storm sewer extension on Handy Street as follows:

George Wilkinson	\$ 533.90
A. P. Isakson, Inc.,	553.55

He explained the proposed project and the necessity for doing it and requested Council approval of award of the bid to the low bidder, George Wilkinson. After discussion the Council concurred in accepting the low bid in the amount of \$533.90, as requested, on a motion by Councilman Long and seconded by Councilman Martin.

6. The City Solicitor reported that an examination of the title to the land proposed to be purchased from Mrs. Bernice Ent, at East St. and Hazel Ave., had been made and that he was unable to guarantee a good title to the Westernmost 14 ft. 6 in. of Parcel 8. He read a letter addressed to the Mayor and Council setting forth legal opinion in the matter. He stated that a draft had been drawn by the Treasurer for the approved amount of \$1,500 less cost of curb and gutter work in the amount of \$179.51, but since the title problem had been

encountered the settlement had been delayed, as he did not want the City to pay for something without perfect title. After further discussion the Council concurred in authorizing the execution of the deed with notation of the deficiency in the title upon motion by Councilman Fullbrook and seconded by Councilman Martin;

7. Mr. Victor H. Laws, City Solicitor, reported that he had received a telephone call from Mr. Dubbs of the Urban Renewal Agency requesting a brief supplement resolution relating to the proposed Urban Renewal Project No. 1. Upon motion by Councilman Long, duly seconded by Councilman Martin, and duly adopted by the Council of The City of Salisbury, it was

RESOLVED: by the Council of The City of Salisbury, pursuant to the power and authority provided in Article XII-A entitled "Redevelopment - Urban Renewal" of the Charter of The City of Salisbury, that the development of the proposed Urban Renewal Project No. 1 area for predominantly nonresidential uses (initially for off-street parking uses) is necessary for the proper development of the community;

8. The City Solicitor read draft of a letter written to Mr. Henry Dubbs, Housing and Home Finance Agency, regarding transmittal of above Resolution and the constitutional amendment Section 61 of Article III (Slum Clearance; also clarification of answer to questions relating to the City's bonded indebtedness on page 10 of the legal opinion dated October 9, 1961. The Council concurred in approval of the letter as read on a motion by Councilman Long and seconded by Councilman Martin.

9. The City Solicitor presented the form of deed for the Church Street properties for approval; also requested that Mayor McLernon be authorized to execute the deeds for the Benjamin Co. and McCrory Co., as requested earlier in the meeting by Mr. Bailey; also requested that the remaining deeds be executed by the Mayor when those involved (11 deeds) arrange to take deed to the properties, in order to get them on the records prior to the first of 1962. After discussion the Council concurred in authorizing Mayor McLernon to execute the deeds as requested on a motion by Councilman Long and seconded by Councilman Laws;

In this connection the City Solicitor explained that as set forth in Ordinance No. 830 the interest on the Church Street property would commence from date deed was received by the City from the State and recorded, which would allow only about one-half month for those involved to obtain their deeds, and that letters had been sent out advising that interest would commence on December 1, 1961, which seemed fair. After discussion the Council agreed to the delay in the date to start interest on the assessment;

10. Mr. James C. Gilman, Planning Director, and Mr. A. L. Fleming, Chairman of the Mayor's Citizens Advisory Committee, appeared before the Council. Mr. Fleming stated that the Advisory Committee had been studying the Urban Renewal Problem of the community and that they were now prepared to make a recommendation on the third Urban Renewal Project, the project outlined on the attached map of Central Business District Revitalization Plan. Mr. Fleming stated that the timing on this project was critical, that the deadline set by the Federal Government for filing a loan and grant would be January 15. He stated that the Committee felt this project was extremely important because there were \$700,000 in improvements in the area, primarily in East Church Street service drive that could be counted toward the City's share of the cost, and that the eligibility of these costs would terminate on April 27. He further explained that the loan and grant application was a final phase of the project before

Minutes of Meeting of November 27, 1961

execution and the only way the January 15th deadline could be met would be for the Planning Office to do this work without filing a survey and planning application, and that the Federal Urban Renewal Office had agreed to such a procedure.

Mr. Gilman outlined the conditions and direct expenses under which the Planning Office could complete this work by the deadline -

1. Drop all other work that is not absolutely essential.
 2. Shift from 35 hour week to 48 hour week, pay weekly and hourly help overtime. \$ 200.
 3. Employ temporary draftsman for 6 weeks at \$60.00 per week. 360.
 4. Retain consultant for 6 week period 1,800.
 5. Obtain acquisition and reuse appraisals for \$700 and \$300 respectively 1,000.
- \$ 3,360.
6. Assign top priority to project and place all City departments on notice to furnish all required material and information immediately on request.

Mr. Gilman explained that he had recommended a \$5,000 contingency fund for Urban Renewal in the 1962 Budget to cover administrative costs in the event of delays in projects. That this contingency fund could be used to cover their additional costs, but if there were any delays on the projects he might have to come back for additional funds. He further explained that inasmuch as the Planning Office also had obligations to the County for the completion of certain work he felt their concurrence was necessary before undertaking such a project.

After discussion upon a motion by Councilman Martin and duly seconded by Councilman Laws the recommendations of the Advisory Committee were accepted and Mr. Gilman and Mr. Perkins were requested to meet with the County Commissioners and seek their concurrence on the project, and if the County concurred, to initiate the work program outlined by Mr. Gilman to meet the January 15 deadline for filing a loan and grant application on Central Business District Project No. 2.

11. The Executive Secretary presented a letter from Mr. W. Edgar Porter requesting permission of Chesapeake Terminal Company to tap on to the City's water main on Marine Road. He also informed the Council that similar requests had been received from Acme Store, Mr. White, Mr. Hanna and Mr. Chandler to tap on to the City water where mains are already installed. After discussion the Council agreed that Industrial and Commercial establishments could tap on; and upon motion by Councilman Fullbrook and duly seconded by Councilman Long permission was granted to Chesapeake Terminal Company and Acme Store to tap on to the City's existing water main.

12. The meeting was adjourned at 10:15 P.M. on motion by Councilman Long and seconded by Councilman Laws.

December 4, 1961

Date

W. E. Long
President of The Council

Joseph M. Troublefield
Clerk

The Council of The City of Salisbury met in special session at the City Hall at 7:00 P.M., Thursday, November 30, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. Mr. Frank Swallow, Director, Chamber of Commerce, appeared before the Council and presented copies of letter addressed to him from the State Dept. of Economic Development, dated November 29, 1961, regarding possibility of a firm being interested in locating in Salisbury provided the City could participate in a revenue bond transaction for the erection of an industrial plant. After discussion the Council requested the Executive Secretary to consult with the City Solicitor regarding the matter and report to the Council at the next meeting.
2. Mr. Swallow stated that it was his understanding that in past years the City had paid a portion of the cost of the brochure put out by the Chamber of Commerce, and that they are now in the process of compiling economic data sheet for the City of Salisbury and requested that money be provided in the 1962 Budget to defray the cost of about 500 to 800 of these books.
3. The Executive Secretary reported that at the last meeting when extension of water services were discussed, but there was no decision made as to charges and he requested that the matter be discussed further. He presented a memorandum setting forth recommendations of charges in the cases of Acme Store on Moss Hill Lane and Chesapeake Terminal on Marine Road. After much discussion the Council deferred action on the matter for further consideration before taking action.
4. Mayor McLernon stated that copies of the proposed Budget for 1962 had been furnished to the Council for their study and suggested that it now be reviewed. The Executive Secretary reviewed the budget and explained the items during the review. The following budget accounts in the proposed 1962 Budget were marked for question -

Account No. 201 - classified as "Travel and Expense" (Councilman Fullbrook)

Account No. 12-100 "City Attorney" Page 15

Page 34 - the word "Building" be deleted from the classification of Departmental Salaries showing Building Inspector.

Page 43 - Account No. 30-400 "Capital Outlay - Survey Truck" - it was agreed to reduce the appropriation from \$2,500 to \$1,500.

Page 44 - Salary of Asst. Supt. Public Works - to be discussed at time of pay plan discussion.

Page 49 - The Council requested that a study be made on land fill to determine whether there could be a saving by land fill operation rather than the Incinerator.

Page 51 - Account No. 34-400 "Capital Outlay - Shrubbery and Landscaping" agreed to increase appropriation to \$1,800, partly by transfer of the \$1,000 reduced on Survey Truck.

Page 52 - Question on "Maintenance II

Minutes of Special Meeting of November 30, 1961

Page 53 Account No. 35-400 "Capital Outlay, Heating Equipment and Building Repairs"

During discussion of the budget the Council requested that the possibility of permanent registration of voters be investigated by amending the Charter, and that it had been suggested that two persons be trained in the Treasurer's office to perform this duty.

Councilman Martin inquired as to activity of the Mayor's Citizen Zoo Committee, and what was being done in regard to the zoo area.

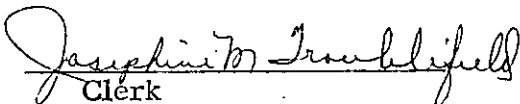
Councilman Fullbrook stated that before too much money is spent in capital expenditures for the Zoo that he would like to see the Zoo moved from its present location. He suggested that if it were possible to take \$5,000 from the 1962 Budget and \$5,000 the following year perhaps the Zoo could be moved.

The review of the budget ended on Page 55, being the end of the General Fund, to be resumed on page 57.

The meeting was adjourned at 10:35 P.M.

December 4, 1961
Date


President of The Council


Clerk

The Council of The City of Salisbury met in special session at the City Hall at 8:00 P.M., Monday, December 4, 1961. The following were present: Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. Councilman Long was named President Pro Tem, in the absence of the Council President William E. Wyatt, on a motion by Councilman Fullbrook and seconded by Councilman Laws.
2. The meeting was opened by repeating The Lord's Prayer.
3. The reading of the minutes of the meeting of November 27, 1961 was dispensed with on a motion by Councilman Laws and seconded by Councilman Martin.
4. The City Solicitor advised that public hearing on the proposed annexation of the Bell Property was scheduled for 8:00 P.M. this date. He presented certificate of publication of the notice of public hearing and stated that the purpose of the meeting was to hear interested persons on the proposed Resolution No. 8 relating to the proposed annexation of the Bell Property and the City's property adjoining the Sewage Treatment Plant. He reviewed provisions of Resolution No. 8 including the complete tax exemption specified therein and repeated for the record his earlier opinion rendered to the Council that the City was without authority to grant a total tax exemption, however, he added that it was quite possible such action would never be questioned. He explained that the law required a period of 45 days to lapse before the Resolution becomes effective, which gives the voters of the City an opportunity to file for referendum and unless it is filed and signed by 20% of the voters the Resolution would become effective after 45 days following its passage. There being no persons appearing to speak for or against Resolution No. 8.

RESOLUTION NO. 8 A RESOLUTION of The Council of The City of Salisbury proposing the annexation to The City of Salisbury of a certain area of land situated contiguous to and binding upon the Southwesterly corporate limits of The City of Salisbury, bounded on the Southeast by said Southwesterly corporate limits of The City of Salisbury, on the Northwest by Pemberton Drive, on the Southwest by the property known as the Taylor Farm, and bounded on the Northeast by the Northeasternmost line or boundary of the lands of The City of Salisbury acquired for its sewage treatment plant; and providing for the conditions and circumstances applicable to the proposed change in the boundaries of The City of Salisbury was introduced and duly passed by the Council on a motion by Councilman Fullbrook and seconded by Councilman Laws.

5. Mayor McLernon stated that the proposed Budget for 1962 has now been formally submitted to the Council for action and requested that the date for public hearing be set. The Council concurred in scheduling a public hearing on the proposed Budget for 1962 at 8:15 P.M., Monday, December 18, 1961, at City Hall, and directed the Clerk to have published in the newspaper a notice accordingly.
6. The City Solicitor reported in the matter of the City's power to enter into revenue bond transaction for erection of an industrial plant. He advised that as the Charter now exists the City has the power to issue revenue bonds only to Urban Renewal Projects, but no power to issue revenue bonds for any other purpose. He read from the City Charter Sections 100 and Section 102-A. He stated that if the City wished to enter into such an arrangement the Charter

Minutes of Special Meeting December 4, 1961

would have to be amended. He explained that the Charter could be amended and need not affect the percentage of debt limit unless it was so desired because the revenue bonds would not be payable from tax revenues, but only from project revenues and hence would not be calculated in the debt limit. He also stated that if the City so desired it could couple the charter amendment in debt percentage, if it were desired to raise the borrowing limit; that such charter amendment would not affect tax limitation. He advised that if the Council acted to amend the Charter to give revenue bond issue power the procedure would be the usual procedure by adoption of a resolution or a series of resolutions proposing such amendment, scheduling public hearing, and becoming effective 45 days from date of passage. He advised that his recommendation would be that the Council authorize Mr. Swallow to reply to the letter advising that the City is interested in actively pursuing this matter and that should this company select Salisbury as its site for location that the City would give favorable consideration to amending the Charter so as to authorize issuance of revenue bonds for this purpose. After further discussion the Council requested the Executive Secretary to write a letter to Mr. Swallow advising the City's position as set forth in the recommendation of the City Solicitor, on motion by Councilman Fullbrook and seconded by Councilman Martin.

7. The Executive Secretary presented request from the Planning Commission for Council approval of following appointment and addition to payroll:

Paul Dyer, Draftsman, temporary employee for period December 4, 1961 to January 15, 1962
Salary \$1.60 per hour.

James G. Gilman, Director Planning and Urban Renewal, to be transferred to City payroll for months of January and February, 1962, Salary \$11,500.

The Council concurred in approval of above appointment and addition to payroll, as requested, on a motion by Councilman Martin and seconded by Councilman Laws.

8. The Executive Secretary presented request from the City Engineer for Council action on the continuation of ban on parking on Route 13 from Hazel Avenue to Lloyd Street, as requested at the meeting of November 27, 1961. After discussion the Council concurred in authorizing the continuation of the parking ban, as requested, to become effective when the traffic lights are installed and ready to put into operation, on a motion by Councilman Fullbrook and seconded by Councilman Laws.

9. The Executive Secretary requested that the Council give assurance that the item listed in the proposed 1962 Budget, Account No. 72-400 - 16" Water Main Under Wicomico River, not be changed; also that the Council authorize that bids be obtained on the steel for this project. He explained that this was requested in order to save considerable money on the project, that it would be necessary to get the steel pipe as soon as possible while the contractor working on the bridge could utilize the equipment already at the site to do this job. After discussion the Council agreed that the \$18,000 appropriated in the Budget for 1962 for the 16" Water Main remain in the budget and that bids be secured on the steel on a motion by Councilman Martin and seconded by Councilman Laws.

Minutes of Meeting of December 4, 1961

10. The Executive Secretary reported that the old accounting machine in the Finance Department was out of service and in the shop for repair, and that it was necessary to start at once to obtain bids on a new one, which is listed in the proposed Budget for 1962, Account No. 73-400 in the amount of \$6,000. He explained the necessity for the urgency for getting the new accounting machine in operation by the first of the year, and revising forms and requested that the Council give assurance that this item would remain as shown above in the budget, and that he be authorized to obtain bids on the new machine. After discussion the Council agreed that the item would remain as shown on the proposed Budget and that bids be secured on a new accounting machine, on a motion by Councilman Martin and seconded by Councilman Laws.

11. The meeting was adjourned at 8:45 P.M. on motion by Councilman Laws and seconded by Councilman Martin.

December 11, 1961
Date

Mrs. M. S. Smith
President of The Council

Josephine M. Troublefield
Clerk

The Council of The City of Salisbury met in regular session at the City Hall at 8:00 P.M., Monday, December 11, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws and W. Paul Martin, Jr.,

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the meeting of December 4, 1961 was dispensed with on a motion by Councilman Fullbrook and seconded by Councilman Long.
3. The City Solicitor requested that Mayor McLernon be authorized to execute deeds for four relocated Church Street properties (Doody Heirs, Richard Realty, Inc., Vernon W. Richards, Lillian M. Chatham, and Laura M. Brittingham). Council authorized that the deeds be executed by the Mayor on a motion by Councilman Long and seconded by Councilman Martin.
4. Ordinance No. 831 AN ORDINANCE appropriating the necessary funds for the operation of the government and administration of The City of Salisbury for the fiscal year beginning January 1, 1962 and ending December 31, 1962; establishing the levy for the General Fund and Sinking Fund purposes for said fiscal year; establishing the levy for Parking District Number One; and providing when such taxes shall be due and payable, in arrears and subject to interest, was introduced and duly passed for first reading on a motion by Councilman Long and seconded by Councilman Laws.
5. Mr. Cooper, City Engineer, reported that bids had been sent out to four firms for repairs to the Incinerator furnace, the names of whom were recommended by the Nichols Engineering Corp., the firm who built the Incinerator, and that only two bids were received on December 4, 1961 as follows:

Nichols Engineering and Research Corp.,	\$ 10,248.00
F.F.R. Building Specialities Corp.	10,977.00

Mr. George Miles, Engineer, was present and explained that the bid received from the F.F.R. Corp. seemed unusual, inasmuch as the bid was submitted without anyone from their concern ever seeing the job, and that the one firm from whom a bid was expected and who had sent a representative here to examine the job did not submit a bid at all. He stated that he had been advised by this firm the reason for their not bidding was due to their inability to obtain bond for \$10,000.

Mr. Cooper stated that there was every evidence that there was some undue influence by Nichols, and that he felt the bids were high as well as apparent collusion in the bidding and recommended that the bids be rejected and the contract be readvertised or that the City attempt to do the work. He stated that it is the type of work they have seen done before at the Incinerator and that it has to be done every four or five years. He stated that the Superintendent feels that with good bricklayers and the supervision of a foreman the work could be done by the City, and though he does not know what the cost would be he felt a savings could be made and would like to proceed to do the work. After discussion the Council concurred in rejecting the bids received on December 4, 1961, as listed above, and requested that an estimate of cost of materials and labor to do the job be submitted for study and further action, on a motion by Councilman Martin and seconded by Councilman Laws.

Minutes of Meeting of December 11, 1961

6. The City Engineer reported that bids on Contract 7-61-SW for construction of Storm Water Drain on Ohio Avenue were received on December 8, 1961 as follows:

A. P. Isakson, Inc.,	\$1,603.87
G. W. Wilkinson	1,915.66

He recommended that the contract be awarded to the low bidder, AP Isakson, Inc., in the amount of \$1,603.87. The Council concurred in awarding the contract to the low bidder, as recommended, on a motion by Councilman Long and seconded by Councilman Laws.

7. The City Engineer presented request from the County Commissioners for the City's participation in the construction of a bridge for better access to the Airport Property, which had been requested by the Peninsula Beagle Club, the City's share of the project to be \$200.00. He stated that the Executive Secretary felt the City should participate in the project as a cooperative measure. After discussion the Council agreed that they would be in favor of the project if the Airport Commission agreed to the project and provided it was paid for from Airport Funds, on a motion by Councilman Fullbrook and seconded by Councilman Long.

8. Mr. James Gilman, Planning Director, presented a summary of estimated costs in connection with the Riverside Drive Urban Renewal Project as follows:

Survey and Planning	\$ 51,725
Administration Costs	28,603
Acquisition Cost	810,196
Assembly Factor 10%	81,020
Clearance	2,000
Negotiation Fee	17,164
Total	990,708

Project Improvements (Already Installed)
Share to be credited to Project

Riverside Drive	96,221
Sanitary Sewer	7,023
Water Line	7,019
Traffic Signals	1,700
Pinehurst Elementary School	48,200
	160,163

Project Improvements (to be installed)

Dredging	45,000
Bulkhead	25,000
Grading	50,000
Landscaping	10,000
	130,000

Minutes of Meeting of December 11, 1961

Gross Project Cost	1,280,871
Recovery from disposition of land	<u>427,800</u>
Net Project Cost	853,071
Estimated Capital Grant (75%)	<u>639,803</u>
Local Share	213,268
Improvements Already Installed	<u>160,163</u>
City Cost to project	53,105
Relocation Grant 100%	26,000

9. Mr. Gilman reviewed the application for Survey and Planning Funds for the Riverside Drive Urban Renewal Project (Project No. 2). After discussion the Council concurred in adoption of the following Resolution on motion by Councilman Fullbrook and seconded by Councilman Laws:

NOW, THEREFORE, BE IT RESOLVED by the Council of The City of Salisbury pursuant to the power and authority provided in Article XII-A entitled "Redevelopment - Urban Renewal" of the Charter of the City of Salisbury that:

1. The proposed Urban Renewal Project No. 2 hereinabove described, on the basis of preliminary investigation and studies and preliminary findings and recommendations, appears to be an area appropriate for Urban Renewal, and the redevelopment of portions of such area for nonresidential uses is necessary for the proper development of the community, and it is necessary and desirable that survey and plans be made and further investigations and recommendations be made in connection therewith to the end that the Council may at a later date on the basis of such surveys, plans and additional findings and recommendations determine whether or not to initiate an urban renewal project in said proposed Urban Renewal Project No. 2 area, in accordance with the provisions of Section 422-D of said Article XII-A;

2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financing assistance under Title I, including those relating to the relocation of site occupants, to the provision of local grants-in-aid, and to the requirement that as a condition of the execution of a contract for a loan or capital grant for an urban renewal project the locality must present to the Housing and Home Finance Administration a Workable Program, as set forth in Section 101 (c) of Title I, for utilizing appropriate public and private resources to eliminate and prevent the development or spread of slums and urban blight; and that if the City of Salisbury shall initiate a urban renewal project in said area proposed as Urban Renewal Project No. 2 by appropriate action under Section 422-D after completion of said surveys and plans, then it is the sense of this body (a) that a feasible method for the relocation of families and businesses displaced from the urban renewal area, in conformity with Title I, can be prepared, and (b) that local grants-in-aid can and will be provided

Minutes of Meeting of December 11, 1961

in an amount which will be not less than one-fourth of the Net Project Cost of the Project and which, together with the Federal capital grant, will be generally equal to the difference between Gross Project Cost and the proceeds or value of project land sold, leased, or retained for use in accordance with the urban renewal plan.

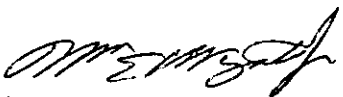
3. The financial assistance of the Housing and Home Finance Administrator of the Federal Government under Title I of the Housing Act of 1949 is necessary to enable The City of Salisbury to finance the cost of such surveys and plans:

4. The Mayor of The City of Salisbury be and hereby is authorized and empowered to execute and file an application for the advance of funds from the United States of America in an amount not in excess of \$51,725.00 to defray the costs of said surveys and plans; and thereafter, he further is authorized and empowered to prosecute said application by furnishing any additional information or documents as may be required.

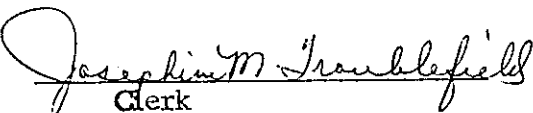
10. The President of the Council announced that a special meeting of the Council would be held at City Hall, at 7:00 P.M., Wednesday, December 13, 1961.

11. The meeting was adjourned at 9:20 P.M. on a motion by Councilman Long and seconded by Councilman Laws.

December 18, 1961
Date



President of The Council



Clerk

December 5, 1961

Mr. Frank Swallow,
Managing Director
Salisbury Chamber of Commerce
Box 868
Salisbury, Maryland

Dear Mr. Swallow:

The City Solicitor has studied your question concerning the authority of the City to issue revenue bonds for the erection of an industrial plant and reported to the City Council that the City does not have Charter power to issue revenue bonds, but could obtain that power by amending Sections 100 and 102A of the City Charter.

The City Council indicated they were interested in pursuing this matter and if the Company would be interested in locating in the City of Salisbury they would amend the charter to give the City the power to issue revenue bonds.

Whether this particular inquiry matures or not I intend to recommend to the Council that the Charter be amended to provide the necessary authority to issue revenue bonds because other cases may arise when it would be desirable and beneficial to the community to issue them.

Sincerely yours,

William M. Perkins
Executive Secretary

The Council of The City of Salisbury, Maryland met in special session at the City Hall at 7:00 P.M., Wednesday, December 13, 1961. The following were present: President of the Council Wm. W. Wyatt, Jr., Councilmen Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. There was discussion on the City's Insurance Program, which is handled by a Committee comprising of three local insurance agents. In view of recent requests from other local insurance agents to participate in the City's insurance program, and since the present Committee was established in 1953, the Council requested the Executive Secretary to make a study of the City's Insurance Program after the first of the year in an effort to determine whether or not it would be feasible to make a change in the present policy.

2. The Executive Secretary resumed the review of the proposed Budget for 1962.

It was requested to go back to Page 44 in the General Fund - Item "Equipment Man III - Overtime". After discussion it was agreed to reduce this item from \$1,600 to \$1,000.

Page 61 - the total of the recommended expenditures for 1962 to be balanced to agree with total of revenues for 1962; and a Contingency Fund be set up in the Water Dept. of \$12,000.

Page 63 Item No. 71-400 Capital Outlay - Automatic Valve - \$5,000. It was agreed to remove this item from the budget.

Page 71 Establish a Contingency Fund in the Sewer Dept. in the amount of \$4,300.

3. Councilman Fullbrook suggested that a study be made as to possibility of getting some of Water Dept Funds into Sewer Dept.

4. Councilman Laws suggested that there be provided in the 1962 Budget an amount for left-turn traffic signals at East Main Street and Salisbury Blvd. After discussion the Council requested that a study be made for possible left-turn signals at this location.

5. Mayor McLernon presented a petition signed by 100% of the residents of the area of Russell Avenue to the River requesting that the drainage ditch be cleared out, straightened, widened, deepened and improved, and that the City use facilities to cooperate with the State Agency to carry out mosquito control project in this area. After discussion the Council requested that the Executive Secretary pursue the matter and report at a later meeting.

6. Mayor McLernon presented request from the Planning Director for Council approval to employ consultants for a period of six to eight days to complete the crash Urban Renewal Program on Riverside Drive - Thomas George at \$80.00 per day and Donald J. Balzer at \$100.00 per day; the total cost not to exceed \$1,800 budgeted for this program. After discussion the Council concurred in approval of the consultants, as requested.

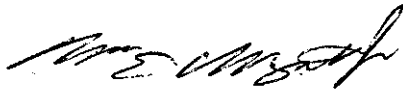
7. The Treasurer requested Council approval to issue salary checks on Friday, December 22, 1961 for the week ending December 23, 1961, due to the Christmas Holiday. Council concurred in approval of request to issue salary checks to the employees on December 23, 1961.

Minutes of Meeting of December 13, 1961

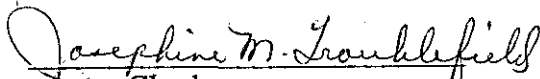
8. The Treasurer requested Council approval to transfer a residue of funds amounting to \$5,345.38, remaining in the Kendall Street Project in the 1960 Bond Issue, to the Route 50 Traffic Signal Account in the 1960 Bond Issue. After discussion the Council concurred in approval of the transfer of funds as requested, on a motion by Councilman Long and seconded by Councilman Laws.

9. The meeting was adjourned at 9:15 P.M.

December 18, 1961
Date



President of The Council



Clerk

Richard Waller Cooper

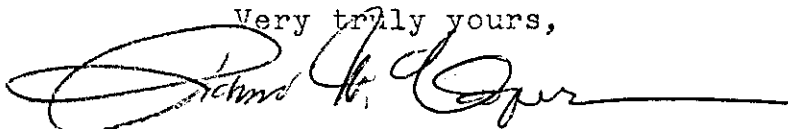
The Hon. Mayor & Council of Salisbury,
Attn.: Executive Secretary to the Mayor,
City Hall,
Salisbury, Md.

Gentlemen:

Attached is a petition which in itself is self-explanatory, but needs only this word of addendum: it contains all the property owners, without exception, from Russell Avenue to the Wicomico River who are affected by the proposal asked for in this petition. Each and every person whose name appears on this paper is most anxious that the City will see fit to include any expenditures in the present budget now under consideration. We do not want this project precluded by any such technicality as its not being a part of the present budget now under public hearing. We are sorry that we were not able to get this completed sooner, but it has taken a great deal of time and delay in order to get 100% signatures because of the absence of some of the property owners.

We sincerely hope that the City will see fit to go ahead with this work as expeditiously as possible.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Richard W. Cooper', with a long horizontal flourish extending to the right.

Richard W. Cooper

December 13, 1961
511 North Pinehurst Avenue
Salisbury, Maryland

THE FOLLOWING RESIDENTS AND OWNERS OF PROPERTY IN THE "PINEHURST" AREA OF THE CITY OF SALISBURY, WHOSE PROPERTIES BIND ON OR IS CROSSED BY A DRAINAGE DITCH, RUNNING FROM THE WICOMICO RIVER EASTWARD ACROSS RUSSELL AVENUE, HEREBY PETITION THE CITY COUNCIL OF THE CITY OF SALISBURY TO CLEAR OUT, STRAIGHTEN, WIDEN, DEEPEN AND IMPROVE THIS DITCH THAT IS NOW SERVING AS A DRAINAGE OUTFALL SYSTEM FOR SEVERAL STREETS THAT ARE UNDER THE JURISDICTION OF THE CITY COUNCIL OF SALISBURY; THE UNDERSIGNED FURTHER PETITION THAT THE CITY USE ITS FACILITIES TO COOPERATE WITH STATE AGENCIES TO MAKE A MOSQUITO CONTROL PROJECT OF THIS AREA IN ORDER THAT A LARGE BREEDING AREA IN CAMDEN SECTION CAN BE ELIMINATED; IT IS HEREBY UNDERSTOOD THAT THESE PETITIONERS SHALL GIVE THE CITY WHATEVER CLEARANCE IT DEEMS REASONABLY NECESSARY TO ENTER UPON AND EXECUTE THIS PROJECT.

NAME	ADDRESS
Richard W. Cooper	511 North Pinehurst Avenue
Bessie C. Holloway (F.L.)	513 N. Pinehurst Avenue
Dr. and Mrs. Wm. Womack	515 N. Pinehurst
Victor C. Davis	517 N. Pinehurst ave
Mr. & Mrs. W. Thornton Jr	519 N. Pinehurst Ave
Mr. & Mrs. Joseph J. Moncale	601 No. Pinehurst Ave
Harold D. L. Kurre	603 N. Pinehurst. Av
Mr. & Mrs. Natanielbrook	607 N. Pinehurst Ave.
Mr. & Mrs. Woodland Daskiel	609 N. Pinehurst Ave
Mr. & Mrs. J. H. Carr	611 N. Pinehurst Ave.
Mr. & Mrs. R. Brooke Lory	507 N. Pinehurst Ave.
Mr. & Mrs. J. Roland Daskiel Jr	505 N. Pinehurst ave
Mr. & Mrs. Roger K. Haffner	501 No Pinehurst AVE.
Mr. & Mrs. Roger K. Haffner	503 No Pinehurst Ave
Mr. & Mrs. E. D. Sherman	818 Ridge Rd. "Rivercrest"
Mr. & Mrs. R. A. Pearce	816 Ridge Rd.
Mr. & Mrs. O. H. Carter	820 Ridge Rd. "Rivercrest"
Clifford F. Brinson	Lot 4 Block 2 River Side Drive

The Council of The City of Salisbury met in special session at the City Hall at 8:00 P.M., Monday, December 18, 1961. The following were present: President of the Council Wm. E. Wyatt, Jr., Harry O. Fullbrook, Joseph J. Long, Richard M. Laws, and W. Paul Martin, Jr. Also present was Mayor Boyd E. McLernon.

1. The meeting was opened by repeating The Lord's Prayer.
2. The reading of the minutes of the Meeting of December 11, 1961 was dispensed with on a motion by Councilman Long and seconded by Councilman Martin.
3. Mr. Layton Moore appeared before the Council and requested that more police protection be given his vacant building on East Main Street than, he feels, has been given in the past four years which the building has been vacant, and during which time the place has been broken into and badly damaged by vandalism. After discussion the Council advised Mr. Moore that an effort would be made for closer surveillance on the building.
4. At 8:15 P.M. Mr. Victor Laws, City Solicitor, advised ~~that~~ of the scheduled public hearing which was advertised on the proposed Budget for 1962, and that since there was no one present to speak for or against the proposed Budget for 1962 that the Council could proceed to adopt the budget by second and final reading of Ordinance No. 831. After discussion the Council agreed to defer action on this matter until later in the meeting.
5. The City Solicitor requested that Mayor McLernon be authorized by the Council to execute deeds for the Church Street properties of the Julian Carey Heirs and Vernon W. Richards. The Council authorized that deeds be executed by Mayor McLernon, as requested, on a motion by Councilman Laws and seconded by Councilman Long.
6. The Executive Secretary presented request from the Treasurer for authorization to decrease from the assessment records a list of 26 assessments totaling \$1,691.94. He stated that every means of collecting the accounts had been exhausted and it was the opinion of the City Solicitor and himself that the accounts were uncollectible. After discussion the Council agreed to authorize the decrease from the records the accounts, as requested, on a motion by Councilman Laws and seconded by Councilman Long. (See list of accounts attached to Minutes).
7. The Executive Secretary presented request for approval of exemption from special assessment on 21 properties in the Parking District No. 1. (See list attached to Minutes) He stated that the applications had been investigated by the Bureau of Inspections and recommended that exemptions be approved. The Council concurred in approval of exemption of assessments, as requested, on a motion by Councilman Long and seconded by Councilman Martin.
8. The Executive Secretary reported that four appraisers for Urban Renewal Appraisals on Project No. 2 had been interviewed and quotations received as follows:

Alfred T. Truitt	\$ 1,025.00
C. Douglas Sergeant	1,010.00
Victor J. Stephens	1,790.00
Roger Steffens	No Quote

Mr. Perkins recommended that Mr. Alfred T. Truitt be engaged to do the appraisals, on the basis that his work done for the State Roads Commission particularly qualified him to do the

Minutes of Meeting of December 18, 1961.

Urban Renewal appraisals. After discussion the Council concurred in authorizing that Mr. Truitt be engaged, as recommended, on a motion by Councilman Long and seconded by Councilman Fullbrook.

9. The Executive Secretary presented request from the Planning Director that Mr. Fred Flowers be engaged to prepare reuse appraisals for Urban Renewal Project No. 3, for the sum of \$300.00. After discussion the Council concurred in authorizing that Mr. Flowers be engaged as requested on a motion by Councilman Fullbrook and seconded by Councilman Long.

10. The Treasurer requested Council authorization to cancel the \$30,000 loan made from the Water Dept. Fund to the Incinerator and Sewage Treatment Plant Commission for the Interceptor Sewer Project. After discussion the Council agreed that the loan from the Water Dept. Fund be cancelled, as requested, on a motion by Councilman Long and seconded by Councilman Martin.

11. Ordinance No. 831 AN ORDINANCE appropriating the necessary funds for the operation of the government and administration of The City of Salisbury for the fiscal year beginning January 1, 1962 and ending December 31, 1962; establishing the levy for the General Fund and Sinking Fund purposes for said fiscal year; establishing the levy for Parking District Number One, and providing when such taxes shall be due and payable, in arrears and subject to interest was duly passed, as amended, on second and final reading on a motion by Councilman Martin and seconded by Councilman Laws.

12. The meeting was adjourned at 8:30 P.M. on a motion by Councilman Long and seconded by Councilman Laws.

1-8-62

Date


President of the Council

Clerk

UNITED STATES DEPARTMENT OF COMMERCE

December 8, 1941

TO: William M. Perkins, Executive Secretary

FROM: Joseph B. Foster, Jr., Director, Bureau of Importation

SUBJECT: Recommendation for approval of Application for Exemption
from Special Assessment Tax levied on properties located
in Parking District No. 1.

Upon thorough investigation and inspection of the applica-
tion for exemption from Special Assessment Tax levied on prop-
erty located in Parking District No. 1 this office recommends that
the following request for exemption be approved:

Vernon L. Lewis
200-202 S. Division St.

John Willis, Jr.
204 S. Division St.

William F. Teasdale
113-115 Market St.

100-121 Market St.

Dalmatya Dental Laboratory
E. Brooks Hendrick
100 E. Market St.

E. L. Myers & Co. Inc.
222 Hill St.

E. Marshall Greene, Jr.
107 E. Market St.

S. Deane Holt
120 E. Church St.

H. Harrell Granger,
Mannah S. Granger,
Robert D. Ray,
Elizabeth Ray
115 E. Market St.

S. W. Shackley
131 S. Division St.

Roger E. Stafford
200 Chestnut St.

321 Penn St.

202 Chestnut St.

William D. Bryan
114-124 Market St.

Mr. Vernon W. Richards
122-134 E. Main St.

Ball & Chandler
107-109-113 Market St.

Larson Corporation
115 Market St.

Chandler & Carey, Inc.
110-112-114 Market St.

Farmers & Planters Company
200-208 Mill St.

216-220 Mill St.

Baker

Wilton L. Pope
115-127 Market St.

Very truly yours,

Joseph E. Pettus, Jr., Director
Bureau of Inspections

(26)

Dec. 18, 1961

To: Mayor & Council

From: W. H. Brittingham, Treas.

Subject: Decrease of uncollectable taxes and misc charges

Below is a list of accounts that we are requesting to be decreased. The City Solicitor and I believe these accounts to be uncollectable as we have exhausted about every means we can to no avail. We could obtain judgments but doubt if results would justify costs & expenses.

Radio Electric Service Co.	1959	Personal Taxes	1076.25	moved out of State
Jas. Barkley	1958	" "	1.23	cannot locate
" "	1959	" "	1.85	" "
" "	1960	" "	1.85	" "
Arnetta Church	1960	" "	8.61	" "
Walter Davis	1960	" "	18.45	" "
Arthur Hawkins	1959	" "	6.15	" "
J. R. Heck	1960	" "	12.30	out of business 1959
Dr. Craig R. Means	1960	" "	55.23	moved out of State 1959
Rudolph Miller	1960	" "	10.86	cannot locate
" "	1960	Parking District	.88	" "
Milton Moore	1959	Personal Taxes	8.61	sheriff sale
Paul Tulis	1960	" "	49.20	Cannot locate
R. S. Widgeon	1959	" "	23.48	no assets
Russell Banks	1959	" "	30.75	" "
Holloway Tire Co.	1959	" "	138.07	sheriff sale
Gordy Kline	1959	" "	3.38	cannot locate
John Marsh	1959	" "	7.38	" "
Geo. Bloodsworth	1959	Cutting weeds	5.75	does not own property
Levin Dashiell	1957	damage to sign	16.97	charged in error
Leon Horsemann	1954	" parking meter	35.00	cannot locate
Herman E. Marshall	1958	cutting weeds	10.25	claims City cut down
Melvin Shockley	\$20.00 of ornamental trees and will go to Court before paying			
	1954	damage parking meter	5.75	cannot locate
Paul Tingle	1958	cutting weeds	17.50	does not own property
Howard Wingate	1958	wood	12.00	cannot collect
Salisbury Retailers Assn.	1960	reprinting tickets	134.19	After talking to Lee
Johnson Mr. Perkins	recommends decreasing. Bill was paid from Parking District			